

awaiting action from the President that will help America's motorists. He is good pals with the Crown Prince, who is running Saudi Arabia with the heads of the United Arab Emirates. He seems to have a good relationship with Putin. Why doesn't he jawbone them to at least stop constricting production so prices can come down? He isn't. He will talk to them about other things but not about something so vital to the middle class.

As a result, gas prices are headed toward \$3 a gallon, and the U.S. Energy Information Administration estimates that the average American family can expect to pay \$200 more this driving season than last driving season and \$250 more than the 2016 driving season. Prices are up more than 60 cents, on average, from the last day Obama was in office until today. Where is President Trump?

The rising gas prices will, as one Goldman Sachs economist put it, roughly cancel out the 2018 consumption boost from tax cuts. Big touting of the tax cuts, but when gasoline prices take it all away, where is our President? Whatever benefit working families might have seen from the Trump tax scam for the rich, if they got any benefit at all, is being wiped out by gas prices, and what about our Big Oil executives and oil companies? They got huge tax breaks—huge tax breaks. Why isn't the consumer seeing any of that at the pump? At the same time our oil companies get huge tax breaks, they raise prices on everybody. How is that helping the middle class? Why isn't President Trump jawboning them like he does on other issues? Where is he?

It is time for the President to stand up to OPEC, to stand up to Big Oil, and do what is necessary to lower gas prices. Remember, once again, the hypocrisy of this President. This is the same President who tweeted multiple times that President Obama was to blame for rising gas prices. So I would remind the President that the final price of gas under President Obama was an average of \$2.36 a gallon, and the current price under President Trump is \$2.92 a gallon and going up.

I hope, for the sake of the middle class and those struggling to get there—the folks for whom gas prices really make a difference—that President Trump takes immediate action to bring down the cost of gas. He has the power. He can force OPEC to do things by jawboning them. He can force the Big Oil companies to consider lowering their prices, given all the profits they got from his big tax bill. Where is he? I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Brian D. Montgomery, of Texas, to be an Assistant Secretary of Housing and Urban Development.

The PRESIDING OFFICER. Under the previous order, the time until 3:15 p.m. will be equally divided in the usual form.

The majority whip.

### CHINA

Mr. CORNYN. Mr. President, yesterday the Senate Banking Committee passed a very important piece of legislation out of the committee by a unanimous vote. I am very pleased that this legislation, which I will describe in a moment, received that sort of broad bipartisan support.

This is a bill I originally introduced with the senior Senator from California, Mrs. FEINSTEIN, to strengthen the review process of the Committee on Foreign Investment in the United States, which plays a critical role in protecting our national security. The jurisdiction of this Committee on Foreign Investment in the United States hasn't been updated in more than 40 years, and bad actors like China continue to exploit gaps in the process to acquire sensitive national security know-how, as well as military and dual-use technology from U.S. companies.

I want to be quick to say that this is not about labeling foreign investment in the United States as bad. That is not true. Foreign investment is by and large a very good thing. But when our laws are being exploited to target cutting-edge, dual-use technology that has national security applications, that is a matter of national security. This is not about banning or labeling foreign investment as being bad.

I appreciate Chairman CRAPO and the Banking Committee's bipartisan work in advancing this narrowly tailored legislation to close the gaps that I just mentioned and safeguard our national security because I believe it is past time for us to do so. Every day we fail to pass this set of reforms is a day we are putting our future in jeopardy.

We need to maintain a sense of urgency and realize that when we are

talking about CFIUS, or the Committee on Foreign Investment in the United States, there is a much bigger issue at stake, and that is the issue of competing global visions.

China makes no secret about the fact that Karl Marx is, in many ways, its national hero. In fact, there was a weeklong celebration in China earlier this month which included a mandatory study session, led by President Xi, of Marx's famous work the Communist Manifesto.

Events like these in some ways show that China is a wolf in sheep's clothing. When it tries to present itself as westernizing its economy and becoming a friend to the global community of nations, China conveniently ignores certain facts about its alternative development model and state-controlled economy. It also tends to disguise and downplay its overall geopolitical aims, to rewrite the rules of our world order and recreate them in China's own Communist image.

Whether it is China's increasing belligerence in places like the South China Sea, its crushing of internal political dissent, its flagrant human rights violations, or its population controls, such as the one-child policy, China has repeatedly shown itself as a power-hungry authoritarian, willing and able to violate the rights of its own people, and dismissive and contemptuous of international norms.

I am not being hyperbolic. I am not exaggerating. This is just the truth—the hard truth—in front of us, if we will look. So let's not deceive ourselves otherwise. When China tries to just "blend in" internationally, let us be wary that its rosy rhetoric and misleading narrative of cooperation are often camouflage for its true and more troubling aims.

As we all know, right now, there are high-level negotiations ongoing between the U.S. executive branch and Chinese Government officials on the very important issue of international trade, but it is important to remember that in the West, belief in free trade is almost axiomatic. In democracies like ours, free trade is based on open markets, the free flow of capital and information, as well as the rule of law.

China, on the other hand, honors none of those things. It doesn't believe in open markets, it doesn't believe in the free flow of capital or information, and it doesn't believe in the rule of law. That reality is why we need to approach these trade negotiations delicately. We need to remain steely-eyed and make sure China isn't playing us for fools.

Of course, we are well aware of the need to tread lightly when it comes to trade. After decades of globalization, any overly broad limits on Chinese investment in the United States could harm American companies that need capital and customers to survive and grow. We need to resist that temptation.

China is not just any old trading partner. Its enterprises are state-

backed, and there is no clear dividing line between the Communist Party and what might otherwise be described as the private sector. There is no distinction. This makes a real difference when it comes to Chinese investments in U.S. companies that are at the cutting edge of developing military dual-use technologies. It means there is a real potential of industrial espionage because you can't separate private, profit-making motives from the government's secret-stealing capacities and proclivities, and this means that our national security is vulnerable.

In its Made in China 2025 plan, the Chinese Government made clear its intent to dominate technologies that will be essential down the road in maintaining our economic and military prowess globally. I have a chart here that I would like to display. It is an unclassified slide from one of our intelligence agencies. They provided us an unclassified version so that we could talk about it in public. Many of us on the Armed Services Committee or the Intelligence Committee are privy to classified briefings, but I believe it is important—and I am glad they do too—that we talk about what we can in an open, transparent way so that people can be alerted to what is at risk and what is actually going on.

These are China's strategic goals. Comprehensive national power—they see themselves as a rival to the United States, and they would ultimately like to surpass us when it comes to national power. We know that they believe their economic growth model must be innovation-driven; hence, their vacuuming up and relentless search for new, cutting-edge technology, including their activities in places like Silicon Valley, where they gobble up startup companies that have long-term potential to advance their economic and national power goals. Obviously, they are also modernizing their military and becoming increasingly belligerent in places like the South China Sea in the process.

How does China achieve these strategic goals? Well, it has an elaborate and sophisticated plan. The truth is, they are really not being clandestine or secretive about this. They are pretty much telling us what they are doing, and they are doing it quite well.

So their strategic goals include, obviously, their security services, their intelligence community, their talent recruitment programs at American academic institutions, where they hire talent back to China to help them in this process. They create front companies that claim to be non-Chinese related in order to transact business so that they don't raise suspicion. They engage in an active program of mergers and acquisitions of companies in the United States. They make significant investments in science and technology, including some of the most cutting-edge technologies, like quantum computing and artificial intelligence. They are probably the worst offender in the

world when it comes to stealing through the cyber domain—cyber theft. They are very creative in engaging in research partnerships. Joint ventures, one of the gaps that the CFIUS legislation intends to plug, where they realize that this is a gap in our current review process for foreign investment and national security implications—they have done so through joint ventures that aren't currently subject to that review, where they can get access not only to the intellectual property but also to the know-how. In other words, they could steal blueprints and other intellectual property, but they don't necessarily know how to make it all work—where the secret sauce is—until they can get access to the know-how through these joint ventures.

Then there are their nontraditional collectors. In other words, civilians are used by their intelligence services to get information to vacuum up data—scientific data, our data—that they may think are important to their pursuit of national power, innovation, and economic growth model, so they use a wide variety of nontraditional collectors as well.

Of course, in the legal and regulatory environment, an American company can't do business in China without basically turning over the keys to the government. Again, there is no delineation between the government and the private sector in China. All businesses have to cooperate with the Chinese Government, and the Chinese Government intermingles that information not only in pursuit of their economic goals but also in pursuit of their military goals.

As I said, these technologies that they are acquiring and seeking to acquire include artificial intelligence, robotics, quantum computing, and 3D printing. The Chinese Government is spending \$300 billion in subsidies to supplant foreign technology suppliers like ours with homegrown alternatives, and a core part of this 2025 plan is acquiring intellectual property from the United States. China is not even trying to hide it. They are advertising it, and they are doing it in plain sight.

Those and related concerns are what prompted a bipartisan group of 27 Senators recently to write a letter to Secretary Mnuchin, Secretary Ross, as well as Ambassador Lighthizer—the U.S. trade Representative. They are all involved in the ongoing trade negotiations with China. In that letter, we expressed concerns regarding China's targeting of our technology.

As a report issued by the Pentagon recently pointed out, if left unchecked, this targeting could degrade core technological advantages of the U.S. military. Clearly, the Chinese Communist Party regards these sensitive technologies as essential for China's military modernization and is accelerating its efforts to acquire them by any means necessary—stealing them, engaging in strategic investments, any way they can do it—whether it is cyber

theft, civil-military integration policies, coercion through joint ventures with foreign companies, targeted investment, or Chinese nationals exploiting access to such technologies here in the United States.

The main point of our letter was not to criticize but to alert our colleagues in the executive branch that there is no question that China is actively seeking to surpass the United States both economically and militarily and become the world's foremost superpower. It is pretty obvious.

It is imperative, though, that neither the Federal Government nor private U.S. companies aid or abet that effort either advertently or inadvertently.

Let me conclude by saying that we should all support a peaceful, balanced, and constructive relationship with China, but it has to be realistic when it comes to China's aims and intentions, and it needs to be informed, as well, by China's record of deception in the past.

When it comes to China, national security isn't just a pretext for economic protectionism. I think “national security” is an abuse of that label if it is used just as a pretext for protectionism. Like many of our colleagues, I believe strongly in free trade, as I started out saying in these remarks, but when national security and economic concerns overlap—which they do—there should be no question but that our national security comes first.

For those of us who serve on committees of jurisdiction involving intelligence or national security, I assure you that the Chinese threat is real, and certain dangers are already taking effect. We need to make sure that not just the committees of jurisdiction understand this and that we are working together with the executive branch when it comes to maintaining this distinction—economic and military—and understand that it is not just about trade; it is about our national security as well. We need to be smart, well informed, and clear-eyed when it comes to engaging with an aggressive China. Our inaction has had many negative consequences, and we must aim to prevent any future ones.

**THE PRESIDING OFFICER** (Mrs. ERNST). The Senator from Delaware.

RUSSIA INVESTIGATION

**Mr. CARPER.** Madam President, good morning. I looked down, and the Presiding Officers have changed. It is nice to be here with you this morning.

Our Presiding Officer is tied to the military—Army colonel, highly distinguished. She comes from Iowa and travels home every weekend. She covers every county in Iowa. In a year, I cover every county in Delaware, sometimes in a day. We only have 3; she has probably 100 or so. But we have the opportunity to go home frequently to our respective States and to be with our families and the folks we work for. I love doing it, and I know our Presiding Officer does as well.

People come up to me—I go back and forth on the train just about every

night and will do that tonight, as I did last night. I feel very fortunate to be able to be that close to my constituents. I serve in the Senate with my colleagues and actually live in my home State. It is a blessing.

I think I am approachable. I know our Presiding Officer is. Senator CORNYN is approachable. People come up and talk to us all the time, which is good—which is good. Sometimes I just want to say hello. Sometimes I will ask them how they are doing. More often than not, lately, people say: I wouldn't want your job for anything. You have the worst job in the world.

I say: No, no. I feel really lucky.

Throughout the 200-and-some years we have been a country, only about 1,800 people have been privileged to serve in this body, and we are fortunate that we are able to serve here today, especially during these challenging times.

Since the 2016 election, however, a broad number of Delawareans and American citizens have approached me, whether in the Rite Supermarket or on the Amtrak train, to share with me their sense of uncertainty and their fears regarding the trajectory of our country. Specifically, they have expressed their uncertainty about the future of the special counsel's investigation and their fears that the President may put his own personal interests above the interests of all Americans and the Constitution of our country.

As we pass the 1-year mark following Deputy Attorney General Rob Rosenstein's appointment of former FBI Director Bob Mueller to become special counsel, I think it is worth remembering why the investigation began, what it has uncovered, where it is headed, and how we can uphold the rule of law and protect the investigation from political interference as we seek to ascertain the truth.

During the 2016 Presidential campaign, our democracy was attacked by a foreign adversary. No shots were fired. No bombs were dropped. But let me be as clear as I can be. Russia attacked the United States of America. Using sophisticated cyber warfare, Russia interfered in our electoral process. As they have in other Western democracies, Russia borrowed from their tried-and-true playbook. Russian internet trolls posed as American citizens on Facebook and on Twitter. Russian shell companies funded political propaganda online, all with the intent of pitting us against one another and spreading this information among the American electorate.

We also know that our Nation's election infrastructure was targeted by the Kremlin and that Russian cyber attacks penetrated voting machines in some of our States—not all of our States but a number of them.

Thomas Jefferson often wrote about the truth, including a famous description of a few truths that we still consider self-evident; namely, that all men—I would add all women—are cre-

ated equal and entitled to life, liberty, and the pursuit of happiness.

Later in life, Jefferson remarked that “we are not afraid to follow truth wherever it may lead, nor to tolerate any error so long as reason is left free to combat it.” Those words really ring true today, don't they?

Jefferson also used to say something to this effect, and I am paraphrasing: The people—that is, the people of the United States—know the truth. We won't make a mistake. If people know the truth, they won't make a mistake.

Since the attack by Russia on our democracy, many patriotic Americans within Federal law enforcement and our intelligence agencies have been heeding Jefferson's advice and seeking to follow the truth. Here is what we have learned.

In a declassified report released in January of 2017, our own intelligence agencies told us that “Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at . . . undermin[ing] public faith in the U.S. democratic process.”

Further, our own intelligence agencies told us that “Russian efforts to influence the 2016 U.S. presidential election represent the most recent expression of Moscow's longstanding desire to undermine the U.S.-led liberal democratic order.”

Those same agencies, our own intelligence agencies—I think there are 17 in all that combined to provide this report—told us that it will happen again: “Moscow will apply lessons learned from its Putin-ordered campaign aimed at the U.S. presidential election to future influence efforts worldwide, including against U.S. allies and their election processes.”

During recent testimony before the Senate Intelligence Committee, the Director of National Intelligence and our former Senate colleague Dan Coats—a good friend of many of us from Indiana—said these words: “There should be no doubt that Russia perceives that its past efforts have been successful and views the 2018 midterm U.S. elections as a potential target for Russian influence operations.”

I will read those words again. Our colleague Dan Coats, who sat over there and served with us for many years—he and I served together in the House before that, and he was an Ambassador to Germany, but now he is the Director of our National Intelligence—said: “There should be no doubt that Russia perceives that its past efforts have been successful and views the 2018 midterm U.S. elections as a potential target for Russian influence operations.” Then he added: “Frankly, the United States is under attack.”

I approve that message. I don't welcome that message, but we need to hear that message, and we need to take it to heart.

In response, we have a responsibility—not to any political party but to our Constitution and to the American people—to band together as we

would following any attack on our country. We have a responsibility to fight back, to protect and safeguard our democracy, and to ensure that it never happens again.

We also have a responsibility—again one that rises above political party—to determine whether the Trump campaign may have had inappropriate contact with Russia during that campaign.

This responsibility is shared between Congress and the executive branch, including the different committees in the House and Senate, as well as the Department of Justice, the FBI, and our intelligence agencies. Unfortunately, our President has rejected this responsibility from the start.

Let's not forget that President Trump fired former FBI Director James Comey and publicly stated it was because of the Russia investigation. President Trump told NBC News: “When I decided to [fire Comey] I said to myself, I said, ‘You know, this Russia thing with Trump and Russia is a made-up story, it's an excuse by the Democrats for having lost an election that they should've won.’” Those are President Trump's words to NBC News.

Because Attorney General Sessions has recused himself from matters involving Russia and the 2016 election, Deputy Attorney General Rod Rosenstein, a lifelong Republican appointed by President Trump to his current position, made the decision to appoint a special counsel to continue the Russia investigation.

Let me take a moment to remind the American people about the background and the character of this special counsel. Bob Mueller has spent his life serving our country with distinction.

Our Presiding Officer: Army, highly decorated.

Yours truly: Navy, 23 years, all in Active Duty and Reserve.

Here is what Bob Mueller received in some of his decorations as an officer in the Marine Corps during the Vietnam war—a war in which I served as well. He received the Bronze Star, and he earned two Navy Commendation Medals and the Purple Heart—all as an officer in the Marine Corps during the Vietnam war.

After a career in Federal law enforcement and private law practice, President George W. Bush nominated him to serve as our FBI Director, and Bob Mueller guided the FBI in the aftermath of the September 11 terrorist attacks. A steady hand during uncertain times, Director Mueller gained the respect and the admiration of the men and women of the FBI, as well as those of us here on Capitol Hill.

During my tenure as chairman and ranking member of the Senate Homeland Security and Governmental Affairs Committee, I had the opportunity to meet with Director Mueller on a range of issues, including protecting our Nation from cyber security threats. Let me just say that I think that maybe in the 17 years I have been here, the best briefing I have ever received on cyber security was from Bob

Mueller. The very best briefing I ever received was from Bob Mueller.

I also got to know him personally. I know his wife. My wife and I know his wife. We believe that he is guided by very strong core values: Figure out the right thing to do, and just do it—not when it is easy, not when it is expedient, but when it is right. Treat other people the way we want to be treated. Focus on excellence in everything we do. If it isn't perfect, make it better. And when you know you are right, be sure you are right. Never give up. Those are his values. I suspect those are the values of many of us who serve here.

Bob Mueller is a man of unimpeachable integrity. There may be no person better suited to this task of special counsel. I have every confidence that he will follow the truth wherever it may lead him and those he leads. But don't just take my word for it. When the Deputy Attorney General appointed him to the position of special counsel a little more than a year ago, his selection drew a particularly resounding endorsement from those of us who serve here in the Senate—not just on this side but, in particular, on the other side of the aisle.

Here is what JOHN MCCAIN said about Bob Mueller: "Robert Mueller is a great choice for special counsel." JOHN went on to add that he is "confident that Mr. Mueller will fully investigate all aspects of Russia's interference in our election."

Senator BURR said: "By having someone like Bob Mueller head [the] investigation assures the American people that there's no undue influence, be it here or be it at the other end of Pennsylvania Avenue or within the Justice Department or FBI." Those are the words of Senator RICHARD BURR of North Carolina, a Republican.

Even former House Speaker Newt Gingrich, with whom I served in the House, said this about Bob Mueller: "Robert Mueller is a superb choice to be special counsel. His reputation is impeccable for honesty and integrity."

I have not known Robert Mueller for as long as some who serve here, but I have known him for a while. I have had a chance to work with him on some important issues and matters for our country and for the security of our country. He is as fine as any public servant I have ever known and served with.

Unfortunately, President Trump has not been as praiseworthy of our special counsel as the Senators I just quoted and the former House Speaker I just quoted. President Trump has repeatedly used his Twitter account to call Special Counsel Mueller's investigation a "witch hunt." A witch hunt? In February, 13 Russian individuals and 3 Russian companies were charged with breaking U.S. law and interfering in the 2016 election—13. The indictment details an elaborate, coordinated scheme to disrupt our election. Moreover, three Trump campaign officials

have pled guilty to crimes that include lying to the FBI about contacts with Russia during the campaign and a conspiracy to defraud the United States, and the former Trump campaign manager is currently facing similar charges.

Despite the progress of the investigation, we know from news reports that President Trump repeatedly has considered firing Director Mueller and Deputy Attorney General Rosenstein. That would be a grave mistake. That would be a very grave mistake.

Instead of exercising Presidential leadership and holding Russia accountable and safeguarding our upcoming election, President Trump continues to use dangerous rhetoric directed toward the special counsel's investigation, as well as at the people who work for us, who serve at the FBI and the Department of Justice, and who deserve our thanks, not our scorn.

Instead of exercising Presidential leadership and holding Russia accountable and safeguarding our upcoming election, President Trump is now demanding a counterinvestigation.

Instead of exercising Presidential leadership and holding Russia accountable in safeguarding our elections, President Trump is now undermining the special counsel's investigation while risking the identity of American intelligence sources.

Despite this failure of Presidential leadership, the special counsel's investigation must go on.

A Methodist minister in Seaford, in Southern Delaware, Pastor Reynolds—a wonderful man, now deceased—gave me advice during my career, particularly when I was Governor. One day, he said: Governor, the main thing is to keep the main thing the main thing.

I said: Would you say that again, Pastor?

He said: The main thing is to keep the main thing the main thing.

In this case, I think the main thing is for us to find out and ascertain the truth. Special Counsel Mueller must be allowed to follow the truth, no matter where it leads, no matter how uncomfortable that makes President Trump or other people, no matter how uncomfortable that makes Vladimir Putin. We must continue to ensure Special Counsel Mueller has the time and resources he needs to follow the truth and bring this investigation to a conclusion.

We must also protect the special counsel from undue political influence, and send a strong signal to President Trump that firing Robert Mueller or Rod Rosenstein, without clear legal justification, would pose a grave threat to our constitutional system of checks and balances.

To be clear, we can't pass a bill to end President Trump's erratic threats on Twitter, though I know there are a few people—some here—who would support such a proposal. However, here is what we can do: We can pass a bipartisan bill, introduced by Senators

COONS, TILLIS, BOOKER, and GRAHAM, to protect the special counsel's investigation. The legislation, called the Special Counsel Independence and Integrity Act, would ensure that the special counsel can only be fired for good cause by a senior Justice Department official, and the reason must be provided in writing. It will ensure that in the event of his firing, the special counsel can seek expedited judicial review of his removal, and it will also preserve all the documents and materials related to this investigation.

I thank our four colleagues—two Democrats, two Republicans—for introducing this bipartisan bill. I support it and urge its swift passage. Passing this bill will demonstrate to the American people that despite the uncertainties and maybe the fears at this moment, we still have a system of checks and balances which still works, as it has been working for 240 years.

There are more constitutions in this world modeled after the U.S. Constitution than any other constitution ever. Ours is the most emulated and longest living Constitution on the face of the Earth. It has an intricate system of checks and balances. Our Founding Fathers—who convened in Philadelphia 240 years ago—developed the Constitution we know of today and sent it out to the Thirteen Colonies to debate and consider whether they wanted to ratify it. The first State to ratify the Constitution was the State of Delaware, and the Constitution is something we especially revere in the First State, but if we allow the system of checks and balances as called for in the Constitution to work, it will eventually lead us to the truth—which is what we should all seek, not just in this Senate, not just in the Congress, not just in one party or the other, not just any one State or the other but all of us.

If the unthinkable were to happen and the special counsel were fired on a whim, I believe the legislation I just talked about would help us preserve the Russia investigation and the rule of law.

Like Special Counsel Mueller, Congress must not be afraid to follow the truth. We must not be distracted by the President's tweets and other attempts to undermine this important investigation. We must keep the main thing the main thing. Special Counsel Mueller and his team must be allowed to finish this investigation, and Congress—especially our Republican colleagues—must do our part to protect the investigation and insist the President stop the political interference and gamesmanship.

Taken together, I believe these actions will allow us to emerge from this especially challenging moment in our country, as we often have following other crises throughout our history. We will emerge stronger and more resilient, and we will emerge deeply proud that we upheld our responsibility to the Constitution and to the American people.

In closing, I want to mention that a lot of times people come up to me—maybe not every day but several times a week. Some are Democrat, some are Republican, some are Independent, some are probably not even registered to vote. They say: I fear for the future of our country. I don't think it has ever been this bad before. We have never seen it this bad before.

I remind them of the words from Harry Truman, who once served in this body as a Senator from Missouri, later as Vice President, and then as President of our country. Harry Truman used to say: "The only thing new in the world is the history you do not know." Think about that, the only thing new in the world is the history we forgot or never learned.

My sister and I grew up in the town of Danville, VA, right on the North Carolina border, the last capital of the confederacy. A lot of people think the last capital of the confederacy was Richmond, VA, but it wasn't. Jefferson Davis and those closest to him got out of Richmond, headed south, and ended up in Danville. That is where my sister and I grew up, and we saw prejudice and discrimination as little kids up close and personal. I will never forget it. There are some people in Danville still fighting the Civil War 150 years afterwards, at least in their minds.

During the Civil War, 800,000 men were killed on both sides, and hundreds of thousands of men, women, and children were wounded, crippled. When the war was over, what happened? When the war was over, our President was assassinated. His successor, Andrew Johnson, the Senator from Tennessee, who also served here, was impeached.

Somehow, we got through the Civil War, with the assassination of a President and the impeachment of a President, and we made it to the 20th century—just in time to fight not one but two World Wars. We won them, led the world and our allies to victory in the Cold War, and led the world out of the Great Depression.

Then, when the Sun came up on the 21st century, on January 1, 2001, here is where America was as a nation: We had the strongest economy on Earth, and we had the most productive workforce on Earth. For the first time since 1968, we actually had a balanced budget—not just one, not two, not three but four balanced budgets—the last 4 years of the Clinton Presidency. While we had a Democratic President and administration, we had a Republican Congress. If I am not mistaken, the chairman of the House Budget Committee was very much involved in the balanced budgets, a Republican from Ohio, our friend John Kasich, former Congressman, now Governor of Ohio.

So we had the strongest economy and the most productive workforce, four balanced budgets in a row, and, on January 1, 2001, we were the most admired Nation on Earth, and we had the strongest force for justice on Earth. That is where we were, after all the bad

stuff and all those challenges of 150 years, beginning with and following the Civil War.

If we can get through all that, we can get through this. In the words of Jefferson, if the American people know the truth, we will not make a mistake. That is what Bob Mueller and his folks are trying to get to, and it is important that they succeed.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. RUBIO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHINA

Mr. RUBIO. Madam President, there has been a lot of coverage over the last couple of months and years really—but certainly in the last few days—about the topic of China, ZTE, and trade. I have had a lot of questions about it, both in the hallways from the press and constituents back home and even from family and friends who have inquired what all the ruckus is about. I thought this was a good opportunity to lay out for my constituents and broadly for the American people what is at stake.

The first thing I would encourage everyone to do is to separate the two issues, the issue of trade with China and the issue of a specific company called ZTE, which is a phone company—a telecommunications company in the cell industry based in China. They were the fourth largest cell phone company in America, up until very recently when they struggled to stay in business. We will talk about that in a moment, but let's talk about those two things separately. They are not necessarily interrelated.

On the broader topic of trade and China, the United States has an enormous imbalance in trade—as we do with other countries but none like we do in China. A trade imbalance, by the way, in and of itself, is not problematic. It really depends on what has caused it, but the trade imbalance with China is problematic because of how it has happened.

China was basically poor, underdeveloped, under a Communist dictatorship, and decided it wanted to open up to the world and become more economically prosperous many years ago.

The deal the world made with China is, we are going to help you develop economically. You are going to open up. We are going to help you invest. We are going to help you create opportunity. We are going to let your companies invest in our economies.

There are rules in the world for trade. There are things that are allowed and things that are not allowed. For example, you are not allowed to steal another company's secrets. If another company has figured out how to make something, that is proprietary.

They own it, they developed it, they spent money creating it, and you are not allowed to go there and steal that from them and start making it yourself.

You can't have rules that say your companies cannot sell in my country, but our country can do whatever we want in your country. There are rules. China has never played by those rules, and everybody knew it. Nobody disputed it. Administrations from both parties, the consensus politically in America was go ahead. Let's let China cheat. Let them keep stealing things because once China becomes richer and more prosperous, they will stop doing that stuff. As soon as China's economy grows big enough, not only will they stop doing all that, but they will become a democracy.

Everyone who said that was wrong. That is not what has happened. They are less Democratic, less open today than they used to be, and they are no longer just stealing little secrets to be in the same ballpark. They are stealing \$600 billion a year of intellectual property. Six hundred billion dollars a year is equivalent to what we spend on the U.S. military. They are stealing the equivalent of that every single year.

How do they do it? First of all, just straight-out espionage. Time and again, they hack computers, they hack emails. They have spies embedded inside companies. They straight-out steal it through espionage.

The second thing they do to protect their industries and grow at our expense is, they don't allow many of our companies to do business in China—huge market. Their companies get to do business here, but they don't allow our companies to do business there—some companies.

They do allow other companies to do business in China, but here is the deal. If you do business in China, it has to be a joint venture with a Chinese company—51 percent Chinese, 49 percent American company. On top of that, there is another catch. If you want to do business in China with a Chinese company, you have to transfer your technology to them. If you want to build turbines, we will let you build turbines in China, but you have to transfer to us the technology of how you do it.

Do you know why they do that? Because once they figure out how to do it themselves, they don't need their American partner anymore. They kick you out, and now they are your competitor and may even put you out of business. That has happened many times. If they don't achieve it by forcing you to transfer, then they straight-out steal it from you.

They also buy up small companies. We have a law here that is called CFIUS process. When a foreign company, especially from a country like China, is buying in a key industry, it undergoes this review to make sure it is not a deal where they could be taking secrets that are tied to national security.

They figured it out. They are just buying small American companies, a bunch of them, in many cases, that are under the level that we look at, these subcontractors, and finding their way in that way.

Suffice it to say that we have a very serious imbalance with China, but the imbalance is not the dollars. The imbalance is in the structure of trade between China and the United States. That is why we don't need a short-term trade deal. This is not about saying: All right. Go ahead and buy more of our agriculture. You guys go buy more of the stuff you were going to buy more of anyway because you need to. In exchange, you get to keep doing what you are doing now, and there will not be any tariffs.

That is a short-term deal. It might be a good headline. You can claim that you won, but in the end, it doesn't do anything to change it. In fact, it leaves us worse off. You might as well have not even gotten into this in the first place. You have actually strengthened them even more.

Let me tell you how they win this fight. They go to all those American multinational corporations, many of whom are just interested in how their stock is performing from quarter to quarter, and say to them: Lobby your Congressman, lobby your Senator, lobby the White House, and convince them to drop all of this.

They do it because what these companies want is to have access to the 1.3 billion people. They don't care if they are only 49 percent of the company in China. They don't care if they are stealing their intellectual property. By the time that matters, the CEO and the people making that decision will be long ago retired, with a huge golden parachute bonus because they delivered a bunch of quarters of earnings. That is so shortsighted.

They may not care about it, but those of us who work here have to because we do not want to live in a world where China dominates industry, not because they outinnovated us or worked harder, but because they stole it from us.

By the way, the Chinese have figured all of this out. They have figured out exactly how to get things done in American politics. They don't lobby the government. They lobby the business sector. Then, all these large corporations go marching onto Capitol Hill and into the White House and scream and plead to drop all this. Of course they do because they are going to make a lot of money in China over the next 5 or 6 years.

A lot of these companies are one day going to be out of business. It is short-term thinking. Their obligations are to their shareholders. Their shareholders are not all Americans. Our obligations are to the American people and America's future.

This is disastrous. We need a structural rebalance, not just a dollar rebalance. China is not a developing coun-

try. It is the second largest economy in the world. It will soon be the largest economy in the world. Yet we continue to let them cheat and steal. That is the trade issue.

ZTE is something completely different—related but completely different. Let me tell you about ZTE. ZTE broke the law. ZTE sold goods and services to Iran and to North Korea. They violated sanctions. They tried to cover it up, and they got caught. When they got caught, they got hit with a fine and were told they need to fire the people who tried to cover it up and the people who did this. They paid the fine, but they did not fire the people who did this. Do you know what they did instead? They gave them bonuses, and they tried to cover that up.

The Commerce Department said: Fine. We caught you. We made a deal with you. You broke that deal. Now the penalty is, you cannot buy American semiconductors. That was the penalty. We are not going to sell you any more semiconductors for 7 years. ZTE says it is going to put them out of business because they do depend on us for semiconductors.

Now we are reading there is a new deal in place, potentially. The new deal is not official, but I have read it, and it has been reported. The new deal is this. We are going to let you stay in business. Pay a fine, \$1 billion or this morning I heard \$1.3 billion, and \$1.3 billion is nothing for a company backed by the Government of China. The Chinese Government will pay it for them. Are you kidding me? Only \$1.3 billion to continue to stay in business and one day replace America in telecommunications? That is nothing.

The other sanction—guess what it is. We are going to force you to buy more things from America.

That is not a punishment. That is a reward. That is exactly what they want. That was the sanction. The sanction was they couldn't buy more from us because they can't stay in business unless they buy from us. The punishment is going to be, instead of punishing you by denying you semiconductors, we are going to really punish you by forcing you to buy more semiconductors from America.

They were going to do that anyway. That is a reward, not a punishment. That is a terrible deal. Some people say that is a deal that is tied into the broader trade deal, another terrible deal.

If I were China, I would give us anything we want on ZTE in exchange for being able to continue to undermine the American economy, but it goes deeper than that. Here is the other problem with ZTE. If it is just one company, it is one thing. China intends to dominate the world in the key technologies of the 21st century—aerospace, biotech, quantum computing, artificial intelligence, 5G, and telecommunications. They are going to dominate the world.

Do you know why I know that? It isn't because I read some fancy article.

It isn't because I am on the Intel Committee. It isn't because of a hearing. It isn't because of a meeting. Do you know how I know that? Because China says it. They have a plan called China 2025, Made in China 2025.

Here is what the plan basically means. By the year 2025, China will be the dominant country in the world in these 10 to 12 industries, which happen to be the 10 to 12 industries that are going to determine the fate of the 21st century. Biotech basically means genetic medicine, the ability to cure diseases like Alzheimer's disease and others that are going to be a plague on the world in the years to come. Aerospace means technology for space. It also means aircraft and the like. They don't intend to be competitive in those fields. They intend to dominate those fields.

You may say: Well, what is wrong with that? Countries can want to dominate fields. It is fine.

If you are going to become the dominant power in the world in these key technologies, you have every right to do so but not by breaking the rules. That is how they are doing it.

What is China doing in order to dominate the world in 2025? To their credit, they invest a lot of money in research and development. They also invest a lot of money in stealing whatever we have already done. Think about it. America invests taxpayer money. We innovate something. We innovate it. After we spend all of your money innovating these things, they take it from us and steal it. It costs them nothing to start out exactly where we are after years and years of work.

Think about that for a moment. That is an enormous competitive advantage. They have free research funding by the American taxpayer. They steal it.

What else do they do? They do other things. How do they steal it, you may ask. One of the ways they steal it is through telecommunications. They are trying to embed themselves in our telecommunications system. Here is how. They know, for example, the U.S. Government or a defense contractor are not going to buy a ZTE phone, but they have a solution for that. The solution is, they sell the ZTE phone, the exact same phone with the exact same components inside of it—the things they can turn on and off to listen to us or take emails or documents or whatever they need, and they sell the exact same phone to an American telecommunications provider. The American telecommunications provider puts their sticker on it so you think you are buying not a ZTE phone but a phone that belongs to an American company, and they sell it—it is called white labeling—or a router. Huawei has a router. The Department of Defense or the government is not going to put a Huawei router in a sensitive place. That is fine. They will sell it to an American company. That company will take off Huawei and put on their sticker, and



you have a router controlled by a Chinese company that is beholden to Chinese intelligence. Even if they wanted to not cooperate, they don't have a choice.

When they tell them, we want you to go into that router and get the secrets of this company or the secrets of the U.S. Government, not only do they have to do it, they will do it, especially if it is in telecommunications. That is happening right now. They embed themselves in our telecommunications system that way through white labeling.

The other thing they do is they use their American subcontracting unit. Again, they know no one is going to hire them to build a military base and put the wire in it. You hire an American company. That is the prime contractor. They come in as a subcontractor to the prime contractor, and they are the ones doing the work. We think we hired an American company, but the work is being done by a subcontractor controlled by ZTE or Huawei or any of these other companies. That is another way they do it.

I am telling you, we are going to wake up one day and realize that in our own country, embedded in our telecommunications system—in our cable, in our routers, in our internet—are a bunch of component pieces that not only leave vulnerable our Department of Defense but our business community. To what? To stealing corporate secrets and commercial secrets that allow them to take the research America has done and use it as their starting point free of cost. This is not fantastic. This is why people are so fired up about ZTE. This is not a game.

Somebody just sent me an article a few minutes ago. I don't know which one of the publications it was. It was talking about me and taking on the President on ZTE. This is not a political game. It has nothing to do with that. This is not about politics. Do we not understand where we are headed? You have a country that is actively saying we are going to displace you. We are going to be the most powerful country in the world, and we are going to do that at your expense. We are here talking about all kinds of other crazy things or political reporters cover this through a political lens. This is not a game.

Do you know why China wins these negotiations? Because they don't play these games. They know what this is about. They have a 10-year plan, a 20-year plan, a 50-year plan. We can't even think 48 hours ahead. Everything here is about a political issue. It is not a game. Whether you want to believe it or not, every single one of us was elected. We participated in politics. I think most of us, if not all of us, do not want to live in a world in 10, 15, 20 years on our watch, where some other country now dominates the world at our expense, where we now work for them, we now are beholden to them for everything from medicines to technologies,

and we were here when it happened and didn't do anything about it because we were loyal to our party or because we were too busy focused on—well, just turn on the news when we have a massive threat before us.

By the way, this is the stuff historians write about. A hundred years from now, we will all look like fools because, if you are just watching this on an hour-by-hour basis, it is not a big story. Yet, 100 years from now, when someone writes the history of the 21st century and we have let this happen, they are going to write about us. They are going to say that we were fiddling while Rome was burning, that we were allowing the Chinese to take over the world at our expense and displace us because we were too busy doing all kinds of other things.

By the way, this is not just about business. When you turn on some of the networks that cover the stock market, they cover this like a casino. Oh, the trade thing is doing better today, so the stocks are up or the stocks are down. Forget about that for a moment. You can make all of the profits you want over the next 3 to 6 months. I promise you, if this continues, in 10 or 15 years, you will not be watching the U.S. stock market; you will be watching the Chinese market, and it will be determining whether our companies survive. It will be we on the outside, looking in.

Then Americans are going to wonder: Why do we no longer invent great things? Why do we now have to do whatever China wants in the world in order to get the medicines we need to cure my mom or my dad's Alzheimer's?

The answer will be, when they were displacing us, your policymakers were too busy arguing with each other and playing dumb, ridiculous games on a regular basis. Meanwhile, China was focused like a laser on a plan, and it executed it.

This is not a game. I can think of no more significant issue from the perspective of history than what is happening now. Do not misunderstand me. I do not come here to say that I want to be unnecessarily aggressive with China or that I want there to be a confrontation. China is going to be a rich and a powerful country, and we have no problem with that—we can't have any problem with that—but there has to be a balance. It cannot be a China that is rich and powerful and an America that is weak and not prosperous.

Those imbalances are what create wars. Those imbalances are what create misery. Those imbalances are what destabilize the planet. That can't be. We need to recalibrate this relationship. It needs to be rebalanced on the trade side. It needs to be protective on our national security side. It needs to be equalized. If it is, China can still be very successful. It is going to invent things. It is going to create jobs. It is going to become more prosperous. That is fine. We have been doing that for 100 years.

Every person who is sitting in the Gallery, every person here in the well of the Senate and on the Senate floor—everyone you know—has a product on him—a phone, a belt—that has been made in another country. The issue is not that other countries make things and that we don't. The issue is not about our dominating everything. It is about balance, and this is not balanced. This is headed for a dramatic imbalance. The imbalance used to be that they made cheap things and sent them back to us so we had lower prices. That is what has happened for the last 30 years. They have made cheaper T-shirts; they have assembled the phones more cheaply; and they have shipped them back to the United States, which has led to lower prices. That is not the imbalance I am talking about.

The imbalance we are headed for is that they will control state-of-the-art artificial intelligence, that they will control state-of-the-art quantum computing, which will mean that nothing will be encrypted anymore, which will mean that there will be no such thing as secure cars left. One day, the President of the United States will not be able to talk to his national security officials anywhere in the world without the Chinese hearing it. No matter what encryption you will put in, they will break it with a quantum computer. That is the imbalance I am talking about.

The imbalance I am talking about is when, one day, we will have a dispute with China on something—on national security somewhere in the world—and it will threaten to cut off our supply of biomedicines. In essence, it will threaten the lives of Americans in their not getting medicine unless we cave to China's desires. That is the imbalance I am talking about.

The imbalance I am talking about is one where it dominates aerospace, where it is the nation that controls satellites and satellite communication, where it is the nation that controls 5G. We are headed toward autonomous vehicles. Autonomous vehicles will depend on 5G technology. China will dominate the world in 5G, and we will depend on it. So we are going to build a fleet of autonomous trucks and autonomous cars, and none of them will work if the Chinese decided to shut it down because they will dominate that field. That is the imbalance I am talking about.

If this all sounds fantastic or apocalyptic, look it up. Research it. I promise you that you will not find a single person who is versed on this topic who will disagree with what I am saying. This is the threat that we face, and we are not facing it squarely.

I would advise those who cover this issue to stop covering it as a political issue. There are some things that are so important to this country that I don't care what the politics are, and most of my colleagues don't either. These are definitional things that will define the 21st century.

I would advise us not to cover this as a purely economic issue because there is a way to grow the trade gap in the short term. We can sell China a lot more of the things it is willing to buy anyway. It doesn't intend to lead the world in those things in exchange for its dominating us in the long run. Get rid of the short-term thinking, and start thinking our competitor has a 50-, a 100-, a 20-, and a 5-year plan, and we don't even know what we are going to be talking about next week.

It is time to wake up to this threat because we have two ways forward. There can be a balanced relationship between two great powers that leads to a world that is stable and secure and prosperous or we can have an imbalanced world in which the rising power of China is at the direct expense of a falling status quo power in the United States. That instability will lead to conflict and a way of life for Americans that we will find unacceptable. Then it will be too late. Then we will have to explain, maybe, to our children and, most certainly, to our grandchildren why the America we grew up in—that led the world in all of the great innovations and in all of the great ideas, that provided prosperity to millions of people here and around the world—and the America they get to grow up in is a second-tiered power while China dominates everything that matters.

If you think that is not a big deal, one of the reasons democracy has spread across the planet is that the world's most powerful country has been a democracy. If the world's most powerful and dominant nation on Earth is a dictatorship—a country that has no respect for privacy, a country that has no respect for free speech, a country that has no respect for religious liberty of its open people, a country that has no regard for human rights anywhere in the world—what do you think the world is going to look like in 20 or 30 years? It is not going to be a better place.

Democracy is morally superior to autocratic regimes. We should not be afraid to say that. If for no other reason—if you want to put aside economics for a moment and confront it from that angle—we cannot allow an autocratic dictatorship to dominate the global economy and global technology by stealing from us at the expense of the democratic order in the world. Democracies are morally superior to dictatorships. If we allow China to cheat and steal its way into dominance, there will be more dictatorships and fewer democracies on this planet, and we will all pay a price for that.

I urge everyone to take this issue seriously. I urge the President to listen carefully to those in his own administration who understand this threat for what it is holistically, and I urge them to move in a direction that recalibrates the structure of our relationship with China economically and that does not allow not just ZTE but numerous other telecom companies to continue to grow and spy at our expense.

That is what I encourage them to do, and that is the right thing to do for the future of this country, not some short-term deal that makes us feel good and potentially gets a positive headline in the short term but what historians will condemn as the beginning of the end of America's place in the world as its most influential Nation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, first, I want to add my comments to those by my friend from Florida, Senator RUBIO, about China.

I remember years ago, when I was helping to lead the opposition to China's admission into the World Trade Organization, when American CEOs came to this body and said one after another to Members of Congress that they wanted access to billions of Chinese consumers when what they really wanted was access to hundreds of millions of Chinese workers. U.S. companies, as part of a business plan, consistently shut down production, whether it was in the Florida Panhandle or whether it was in Northeast Ohio, and moved those productions overseas. They enriched that Communist government and gave China the wherewithal that Senator RUBIO talks about now.

That is the importance of the CFIUS legislation we did yesterday in the Banking Committee that Senator CRAPO, Senator VAN HOLLEN, and I worked on. It is the importance of many of the issues that Senator RUBIO raised, so I thank my colleague from Florida.

Mr. President, I rise to oppose the nomination of Brian Montgomery. He has been nominated by the President to serve in the U.S. Department of Housing and Urban Development as an Assistant Secretary of Housing and as the Federal Housing Commissioner.

If confirmed, Mr. Montgomery would oversee the Federal Housing Administration, the FHA, which insures loans for homeowners, multifamily rental buildings, and healthcare facilities originated by HUD-approved mortgage lenders; oversees HUD's Housing Counseling Program; and provides rental assistance for over 1.2 million low-income seniors, individuals with disabilities, and families.

We are considering this nomination at a time when the Nation faces all kinds of housing challenges. Thanks to a deep shortage of affordable rental housing—think about this—a quarter of all renters, of all households, are paying more than half of their incomes for housing. That means, if anything goes bad in their lives—if their cars break down on the way to work or if

their children are sick, and they have to decide to send their children to school anyway or to stay home and lose a day's pay and get behind on their rent—then everything will go bad for them.

Far too many creditworthy borrowers still struggle to access sustainable credit in the mortgage market, particularly in communities of color. In February, the Center for Investigative Reporting released data showing that people of color were far more likely—in some cases, more than five times as likely—to be denied conventional mortgages. They found this data in 61 metropolitan areas around the country. It is not limited to only a few places.

Mr. Montgomery, in his having served previously in the position for which he has been nominated, would bring both valuable experience and an appreciation for the importance of the programs he would lead if he is confirmed. He has spoken about the value of the FHA as both a responsible engine of homeownership and a countercyclical tool to ensure that mortgage credit remains available. He has also supported the Office of Housing's affordable housing program. That is the good news.

The bad news is that I am concerned that Mr. Montgomery, in the interest of making the FHA a better partner to the mortgage industry after having served in the industry as a board member or adviser, will lose sight of the interests that FHA and consumers have. Following his previous tenure at HUD, Mr. Montgomery cofounded a consulting firm that provided a range of services to financial services companies, services that included helping FHA participants minimize penalties from HUD enforcement actions. He also sits on the boards of companies whose businesses could be affected by FHA and Federal housing policies.

Perhaps more troubling is that Mr. Montgomery has stated concerns about "excessive" Federal enforcement efforts against mortgage lenders in the years following the mortgage crisis, including pursuing claims under the False Claims Act.

In late last year, the Trump administration's Department of Justice noted "the False Claims Act serves as the government's primary civil remedy to redress false claims for government funds and property" and further noted that recoveries under the act are "a message to those who do business with the government that fraud and dishonesty will not be tolerated."

The False Claims Act was cited in several post-crisis Federal enforcement actions, including a \$1.2 billion settlement with Wells Fargo in 2016 and in a 2014 settlement with JPMorgan Chase for "knowingly originating and underwriting noncompliant mortgage loans submitted for insurance coverage and guarantees" at the FHA.

Obviously, fraud has no place in FHA programs. However, without a strong



signal that fraud and dishonesty will not be tolerated, some lenders who don't play by the rules will, once again, push the envelope with damaging effects to families and taxpayers.

I hope that Mr. Montgomery proves me wrong and that under his leadership, HUD will emerge as a strong advocate for consumers and affordable housing and assisted families. It is hard for me to believe that, though, when you look down the street at the White House, and the White House, frankly, looks like a retreat for Wall Street executives and those connected to those financial interests.

Consumers and families need an advocate at HUD. So far, the administration's response to our rental housing shortage, unbelievably enough, has been to propose the slashing of billions from housing programs and the raising of rent on low-income, HUD-assisted families, seniors, and people with disabilities. After all, as the HUD Secretary said—after giving this tax cut where 80 percent of the tax cut, of the \$1-plus trillion, went to the richest 1 percent of people in this country—they had to make cuts to the cleanup of Lake Erie, which Senator KLOBUCHAR and I care so much about; they had to make cuts in Head Start; and they had to propose raising the eligibility age for Social Security and Medicare. They had to make these cuts. That was part of the deal of a tax cut for the rich. So it is just a little hard for us to buy in to some of their reasoning.

The administration has been dismantling consumer protections and eroding fair housing enforcement at HUD and the CFPB. Just yesterday, Congress passed legislation making it harder to detect and protect against violations of fair housing laws, particularly reverse redlining, as if we didn't deal with that issue decades ago. We all should come to agreement that redlining is wrong. It devastated borrowers and communities during the crisis, and it hasn't gotten a whole lot better.

I hope Mr. Montgomery, when he is confirmed, will use his office to advocate for housing solutions that work for our families and our communities. These matters are far too important for too many Americans to do otherwise.

I oppose his nomination. I hope I am wrong. I hope he actually does the things that someone in that position at HUD should do.

I yield the floor.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Minnesota.

#### ANTITRUST ENFORCEMENT

Ms. KLOBUCHAR. Madam President, I come to the Senate floor today to discuss what I consider an often overlooked issue that is of central importance to the well-being of American consumers and our Nation's economic strength, and that is antitrust enforcement.

Before I was a Senator, I was a prosecutor for 8 years, and before that, I

was a lawyer in private practice. Early in my legal career, my main client when I was a brandnew lawyer was MCI. At the time, MCI was a young, innovative telecom company that was determined to disrupt the telecom industry by competing with first long-distance carriers and then local monopoly carriers. It was exciting for me to represent a company like that. They had a lot of scrappy lawyers who viewed themselves as fighting for consumers to give them some alternatives and lower prices.

I remember that at one of my regulatory hearings, I actually quoted the first words Alexander Graham Bell said over the telephone: "Come here, Watson, I need you." But in the Wild West world of MCI, when they were getting ready to relay the first-ever communication between St. Louis and Chicago—which seems odd to the younger pages here—at the time, Bell companies dominated all telecoms, and we only had those old-style telephones and only one company in an area that offered service. So MCI came in to compete by building their own line between St. Louis and Chicago. One of their investors, Irwin Hirsh, memorialized this great moment, and instead of saying "Come here, Watson, I need you," he said, "I'll be damned. It actually works."

But make no mistake—without antitrust law, MCI would never have worked. We would have had no competitors. We would have been stuck in the old Bell operating company world. MCI took on Bell operating company and AT&T and ultimately broke up that monopoly. This breakup lowered long-distance prices for consumers across the country and ushered in an era of amazing innovation and revolutionized the telecom industry and, yes, brought down those long-distance prices.

Antitrust may not always make front-page headlines these days, but antitrust enforcement is as important now as it has ever been. It remains vital to the welfare of our country, and we ignore it at our own peril.

People often ask me, what does antitrust law have to do with our economy? The answer I always give is, everything. Let me repeat that. Antitrust has everything to do with our broader economy. That is becoming clearer to the American public. People intuitively understand that there is too much industry consolidation in this country. They understand that is not necessarily good for them whether they are a Democrat or a Republican or an Independent. They understand that the benefits of big corporate mergers go largely to the merged companies and their investors and not to the public.

This highlights the fact that antitrust is not just a subject for competition policy circles or law school classroom discussion or the business section of the newspaper; antitrust policy touches people across our country, and they are beginning to see how important it is to their lives.

Two-thirds of Americans have come to believe that the economy unfairly favors powerful interests. Even as our economy stabilizes and grows stronger, it is easy to see why people feel that way.

Every year, I go to all 87 counties in my State. Everywhere I go, people tell me that while the job situation has improved since the downturn over the last decade—and, in fact, we need workers for a lot of the jobs that are open in our economy—they are still struggling with the cost of living.

In my State, we are fortunate to have a strong economy, but the cost of living is by no means low, and that is true all over the United States. For some, it is rent payments. For others, it is mortgages. For others, it is prescription drugs—and that is actually for almost everyone—and mobile phone service. To many people who dream of starting their own business, that is hard to do when those costs are so high.

Anticompetitive mergers and excessive concentration can increase these cost burdens. They may lead these cost burdens, whether it is in the agriculture industry or the cable industry or certainly the pharmaceutical industry, where we see monopoly power over certain kinds of drugs, where we see pharmaceuticals basically, in the words of the President of the United States while he was campaigning, "able to get away with murder." Yet, what are we doing about it? Well, the people would like us to do something about it. They are increasingly realizing that antitrust has everything to do with the prices they pay for goods and services and with the health of our global economy.

These are not novel ideas. Think back to trust-busting. Think back to Teddy Roosevelt. Think back to this American entrepreneurial spirit of small companies and individuals being able to compete against each other. That is what our economy is all about in America. When companies are allowed to compete and people are allowed to get into a business, businesses can offer higher quality goods for the lowest possible price.

The point I want to emphasize is this: Talking about antitrust in a narrow way is outdated and oversimplified. Antitrust enforcement affects more than price and output. We now have evidence that competition fosters small business growth, reduces inequality, and increases innovation. In short, tackling concentrations of power is a linchpin to a healthy economy and a civil society.

With respect to business growth, evidence suggests that it is nearly impossible for new firms to penetrate highly concentrated markets, so ensuring competitive markets is one clear way to help entrepreneurs and small businesses succeed. We all know how important small business growth is to our economy.

Research also suggests that concentration increases income inequality. Firms with market power raise prices, which takes money from consumers and puts it in the pockets of the few. Concentration also blunts incentives to innovate. Why would someone innovate if they know they can just keep the product they have, not invest in R&D, not invest in innovation, because they have the only product on the market because no one is competing with them for something better? When there are 8 or 10 competitors, they will try everything to get a leg up on their competition by lowering prices and finding new products that people want. When there are only one or two firms, there is little incentive to make product improvements, develop new products, or certainly bring down those prices.

We have to recognize the broader benefits of antitrust enforcement—especially today, when we are living in a wave of consolidation across industries. Since 2008, American firms have engaged in more than \$10 trillion in acquisitions. The last few years have seen a steady increase in mergers reviewed by the Federal Trade Commission and the Justice Department's Antitrust Division. But it is not just the number of deals. I recall former Assistant Attorney General for Antitrust Bill Baer, a lifelong antitrust lawyer, saying that his agency was reviewing deals that raised such serious antitrust concerns that they should have never made it out of the boardroom.

As former chair and ranking member of the Antitrust Subcommittee, I have raised concerns about several megamerger proposals over the last few years.

Look at the Comcast-Time Warner merger proposal. As I pointed out at a hearing in the Judiciary Committee, if the merger had been approved, the combined company would have controlled 60 percent of the country's high-speed and broadband customers.

Look at the failed merger between Norfolk Southern Railway and Canadian Pacific—something I took on immediately after it was announced. Even without the merger, 90 percent of freight traffic is still handled by only four railroads. As I pointed out then, this is the same number of railroads on the Monopoly board. Four is what we are down to after having literally 63 of these major railroads years and years ago, then going down to 9, and now we are at only 4.

When a State has a lot of rural areas like mine has—we are fifth in the country for ag, and I think of the Presiding Officer's State—customers or farmers or small businesses that are at the very end of that freight rail line are called captive customers because they are only served in reality by one railroad. They see their rates go up, and they have no other choices. The more numbers are reduced, the more difficult it becomes for people to get good rates so they are able to get their goods to mar-

ket. It is easier when you are in a highly concentrated market, but it is very hard when you are not.

These examples are part of a larger pattern of horizontal consolidation and vertical integration. Those are words you hear only in law school classes or maybe see in the business section of the paper, but that is what is happening.

We all know about AT&T's bid to buy Time Warner and the Justice Department lawsuit to block the deal, but that is not all. Sinclair Broadcast Group is trying to buy Tribune Media. Bayer is trying to buy Monsanto. CVS is trying to acquire Aetna.

Most recently, T-Mobile signed an agreement to buy Sprint, which would combine two of only four major cell phone carriers in the United States. Again, I note that number of four—the number on the Monopoly board—which would go down further to three. In fact, T-Mobile has been playing a major disrupting role—I mean disruption that is good in terms of bringing down prices. We have all seen the ads with what they are offering. This merger would merge two of those phone companies, and we would be down to only three. More than three-quarters of American adults now own smartphones, including many who depend on these devices for their primary connection to the internet. Many of them don't even have local phone service. Now we will bring their choices for major carriers down to three if this deal goes through.

Last October, in anticipation of this transaction, and weeks ago, after it was announced, I sent letters with a number of my colleagues raising antitrust concerns and urging the Justice Department and the Federal Communications Commission to investigate this potential transaction. Today, Senator LEE and I are announcing that we are going to hold a hearing to look at these issues very carefully and very seriously in a bipartisan way in the Antitrust Subcommittee next month.

Often, in connection with large mergers, the merging parties and the investment community promise millions, sometimes billions of dollars in efficiencies and cost savings. But after closing, do consumers actually see the promised lower prices or the improved quality? I think the American people deserve an answer to that question. To address these issues, we need aggressive antitrust enforcement.

Let's talk about that. Unfortunately, current levels of Federal antitrust enforcement activity are not where they need to be. I take my responsibilities on the Antitrust Subcommittee seriously, and Chairman LEE and I have done a lot of important work together on the subcommittee over the past few years. Also, we are both committed to the professionalism and the independence of the Federal Trade Commission and the Antitrust Division.

Antitrust and competition are not Republican or Democratic issues; they are consumer issues. We can all agree

that robust competition is essential to our free market economy. In light of this consensus, the enormous economic consequences of lax antitrust enforcement, and the current merger wave, these issues require our urgent attention.

Let me explain.

Our economy, in terms of nominal GDP, has increased by 30 percent between 2010 and 2017, and annual merger filings have almost doubled during that time. At the same time, our antitrust agencies' budgets have been held flat. As a result, agencies are only able to litigate cases involving the most highly concentrated markets. This limits the attention they pay to closer or more difficult cases.

Despite these constraints, agencies are doing what they can, but we need to do more. Giving agencies the resources to pursue the harder cases will pay real dividends to our economy. When I say resources, I also mean the legal tools necessary to protect competition.

When it comes to mergers, the protections in the Clayton Act—that is the antitrust law—have slowly been eroded. Over time, we have seen a systemic underenforcement of our competition laws. The result has been even larger mergers and more concentrated industries, and American consumers are taking notice. We need to give our agencies the legal tools to push back.

That is why I have introduced two major antitrust bills over the last year. The first will give our antitrust agencies the resources they need to protect competition. Now, this is not coming off the backs of taxpayers because, as I have already explained, they are already having to foot the bill for a lot of these mergers in terms of higher prices. This bill would, in fact, update merger filing fees for the first time since 2001. Think of how many years that is and how the competitive landscape and the merger landscape have changed during those 17 years. This bill would lower the burden on small and medium-sized businesses for their filing fees and ensure that larger deals, where we are seeing all of these activities—these billion-dollar deals where they hire so many lawyers that there are more lawyers on those deals than there are Senators' desks in this room—have fees on businesses that would raise enough revenues so taxpayers could foot less of the bill for merger review. I am not talking about an across-the-board business tax. I am talking about higher fees on those businesses—major businesses, huge businesses—that are seeking to merge and reap the benefits. If their lawyers can get all kinds of bonuses for getting the deals through, at least the taxpayers should be getting the bonus of being able to know that someone is looking out for them in reviewing these deals.

Effective enforcement also depends on feedback. As the size of mergers have grown, so have the complexities

of merger settlements. A question for modern enforcement is whether some proposed mergers are simply too big to fix. Agencies can make better enforcement decisions if they understand what has worked in the past.

So my bill gives the agencies the tools to assess whether merger consent decrees have in fact been successful. Have all those promises we hear at the hearings or we see in writing or we read about in the business pages really come to fruition?

In addition, we need a better understanding of the effects of market consolidation on our economy. That is why we need to study the effects of mergers on wages, employment, innovation, and new business formation. We also must give our antitrust agencies and courts the legal tools necessary to protect competition.

That is why my second bill, the Consolidation Prevention and Competition Promotion Act, would restore the Clayton Act's original purpose of promoting competition by updating our legal standards so our legal standards are as sophisticated as the companies that are proposing these mergers and the kinds of mergers they are proposing.

My bill clarifies that we can prevent mergers that reduce choice, foreclose competition through vertical consolidation, stifle innovation, or create monopsony. OK, that is a great word you would hear in law school classrooms, but what does it mean? Well, it means where a buyer has the power to reduce wages or prices.

It also creates a more stringent legal standard to stop harmful consolidation and shifts the burden for megamergers so the parties involved in the deal have to prove the merger does not harm competition. So what we are talking about here is when a big company buys another and then has that power to make it so that the other competitors aren't really going to be able to compete with the company that they bought, because this huge company might have the ability to bring down prices or do things temporarily to the point that they get other people out of the market or they hurt the others to the extent that you then don't have real competition, and that is what they are doing.

Let me be clear. Big by itself is not necessarily bad, and large mergers do not always harm consumers. My home State of Minnesota now has 19 Fortune 500 companies, and we all benefit from the fact that the largest and most successful companies in the world are American companies.

If we want the success to continue, our new businesses must have the same opportunities to grow as the businesses that came before them. Target, one of my favorite companies based in my State, started as a dry goods store in a small pedestrian mall that is now a big one in Minnesota, way, way back. That is a true story. And 3M, a big company out of my State, started as a sandpaper company. OK, so we have to make sure

these small companies continue to grow and are able to compete, but that is not going to happen if we shove them out.

Our new businesses must have those same opportunities. Promoting competition and preventing excessive industry consolidation is the way we encourage this country's next big idea. Take Trader Joe's, JetBlue, and Starbucks. These companies started small, but they were able to get a foothold in the market and succeed because our antitrust laws prevented large, established competitors from limiting their growth. As a result, the American people get better products and services.

These bills will simply ensure that the next American business success story is possible. They will allow entrepreneurs and innovators to succeed in open, competitive markets.

We can do this, and we should do this. It doesn't take a miracle. It just takes people acknowledging what has made our economy strong in America. Antitrust law and policy are not always front and center in our debates, but they should be. The proposals in these bills will improve the lives of businesses and people across the country.

Protecting competition speaks to the basic principles of opportunity and fairness. It speaks to the simple notion that companies with the best ideas and the most innovative products will have a chance to rise to the top based on their own merits, and the reality is that these principles are at risk. We are currently experiencing a dramatic increase in both the number and size of mergers. As our markets and technologies evolve, our agencies and courts are less able to address this increased concentration and the really big guys like it that way.

That is why we have to stand up in this Chamber for the American people. We cannot wait any longer. We need vigorous antitrust enforcement. We need to improve the tools and the resources that those who are trying, at least, to put a modicum of enforcement in place are able to exercise. Our economy depends on it.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

#### SECURE ELECTIONS

Mr. NELSON. Madam President, the right to vote is one of the most precious rights we have here in America. How we protect it is so cherished, and it is also cherished by peoples all over the world who don't get a chance to exercise that right. Our constitutional foundation is built on a process of free, fair, and unfettered elections.

Well, what happened in this country 2 years ago put a crack in that foundation, and it started to sow the seeds of doubt that, if gone unchecked, could undermine our entire democracy. After painstaking analyses by the intelligence community, which are in complete agreement—unanimous in the IC—we know that Russia interfered in

our 2016 election. We know that Russia continues to meddle in the elections of not only our country now but in other countries around the world. We saw that in the elections in Europe last year. Fortunately, what they tried in France backfired on them, and they didn't get their candidate to win. We also know that if we don't act now, they are likely going to continue this interference in the elections here in this country that are coming up in just a few months.

The threat that we face today from Russia's meddling in our elections and attempting to undermine our democracy is really one of the greatest threats we face. Congress recognizes this threat, and we have taken action to protect that vote. But none of it matters if respective States will not work with us and take this threat seriously.

So last March we passed a bill that authorized \$380 million to help State elections officials strengthen their elections security and update their elections equipment. Now, of the total of \$380 million for the country, \$19 million of it was set aside for my State, the State of Florida. While at least a dozen other States have applied for and received funding to help them protect their systems from Russian intrusion, my State of Florida hasn't even applied for one single dollar of the \$19 million set aside for Florida—not one.

In fact, the government of Florida through Florida's secretary of State said recently that it is not planning to apply for any funding to improve security during the upcoming November election. Obviously, when you consider the risk and what Russia did, which the intelligence community all agree was done to us in the last election, why in the world would the State of Florida not apply for any of the \$19 million set aside for our State? We know that Russia had intruded into the election mechanism and records of 21 States, and the State of Florida was one of those States.

Although we don't know what kind of interference the Russians are going to try in the upcoming November elections, we do know that Russian President Vladimir Putin—having interfered in 2016 and causing so much chaos and, therefore, attacking the very foundation of our constitutional democracy—is likely to do it again. So why wouldn't the government of the State of Florida apply for \$19 million of funds set aside for Florida to upgrade and protect our election system?

We know we are not the only country that has been attacked and, according to the U.S. intelligence community, he obviously is going to continue this type of behavior. So we better get ready.

That is why we have such a heavy responsibility to defend America from these types of attacks and to defend our process of free, fair, and unfettered elections. We need to rebuild trust in our elections, and at the same time we

need to ensure that every citizen who wishes to exercise their right to vote is able to do so. It also can be counted, and it can be counted as they intended it to count.

Remember this goes back to 1965. Congress passed the Voting Rights Act of 1965 to protect the right of every citizen to vote. But in a 5-to-4 Supreme Court decision, it declared that part of that law was outdated, and it removed much needed voter protections that we have come to rely on for minorities, and we have come to rely on them for the last half century.

Part of this Supreme Court decision struck down part of the law as it applied to protecting minorities in certain counties in the State of Florida. The Justices voted to strike down that important part of the Voting Rights Act on a 5-to-4 decision. They said that it was outdated because we no longer have the blatant voter suppression tactics we once did years and decades ago.

I disagree. We have seen a lot of voter suppression. Since the 2010 election, we have seen a number of States, including my State of Florida, approve voting restrictions targeted directly at reducing turnout among young, low-income, and minority voters. Why? Because they traditionally support one particular party.

In 2011, for example, the Florida legislature, State officials, and the Governor of Florida reduced the number of early voting days in Florida, including canceling the Sunday before the Tuesday election as an early-voting date. It is not a coincidence that there was use of early-voting days, particularly on weekends—particularly on that Sunday before the Tuesday election, where people become sensitive and recognize that there is about to be an election day. We have found that particularly minority voters in Florida—African Americans, as well as Hispanics—would take advantage of voting when they did not have to go to work. You have heard the term “Souls to the Polls.” So often, after church on Sunday, many church members would go to the polls.

They made voting more difficult for people who had moved to a different county. It became more difficult, even though we have a very mobile population moving within a State. They also made it more difficult for young people, particularly college students, who changed their address because they had moved and wanted to vote in the town where the university was, but their identification often was their driver's license, which showed their parents' residence. Again, this made it more difficult instead of making it easier to vote.

The State of Florida subjected voter registration groups like the League of Women Voters, which had been registering voters for three-quarters of a century—suddenly, they were subjected to penalties and fines if they didn't return the signatures in a short period of time, which was impossible if they got the signatures over a weekend. And

they would nitpick with penalties and fines on some small mistake when they were trying to help someone register to vote. Happily, the League of Women Voters went to Federal court, and the Federal judge threw that law out as unconstitutional. But that decision was right before the election, and lo and behold, the League of Women Voters had lost a year and a half of voter registration.

You won't believe this. In 2014, an elections official in Miami-Dade—which was, coincidentally, one of the more Democratic counties in the State—closed restrooms to voters who were waiting in line at the polling sites. As a matter of fact, there was so much chaos in one previous election—the election of 2012—that lines were upward of 7 hours long.

I will never forget the woman who was a century old—100 years. Everybody kept bringing her a chair and bringing her water. Well, some of those waiting in lines didn't have the opportunity to go to the restroom, despite waiting to vote for hours and hours.

In that same election cycle, 2014, the State's top elections official told a local election supervisor not to allow voters to submit absentee ballots at remote drop-off sites, ordering that elections official that there could be only one site. That supervisor of elections, by the way, told the State of Florida to go take a hike—that they had a way of securing the ballots by dropping them in several different sites that were formerly approved.

Then the State of Florida denied a request from the city of Gainesville to use a University of Florida campus building for early voting, a move seen by some as a direct assault on student voting. Can you believe that? The State of Florida government, through the Secretary of the State, is going to order the University of Florida not to allow the student center on campus to be a place of convenience for students to cast an early vote. That order has stood. It has stood, and instead of making it easier for people to vote, it has made it harder. All too often, we have let these things go.

This Senator is not letting it go because the League of Women Voters in Florida has now taken the government of the State of Florida to Federal court on behalf of students at the University of Florida, as well as Florida State, saying: You are arbitrarily saying that we cannot vote in a convenient place on campus, in a government-owned public building on campus. You cannot order that we cannot use that in anticipation of elections this coming November.

Too often we find ourselves divided on these issues of party politics, but that shouldn't be the case. There should be no disagreement when it comes to protecting the right to vote and making it easier, not harder, for people to vote. Why? Because we ought to be Americans first, not partisans first. We should be Americans first, and

the State of Florida should get its act in order to let the people vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

VA MISSION BILL

Mr. ISAKSON. Madam President, I am delighted to stand today, shoulder to shoulder with all my colleagues on the Veterans' Affairs Committees in the House and the Senate, to thank the Senate for a very strong vote on cloture yesterday to take us to a point today where we will pass the VA MISSION Act, which is this legislative body fulfilling a promise to those who fought and sacrificed for each of us to be here today—our families and loved ones as well.

For years, there have been problems in the VA in terms of healthcare. You read the headlines. I read them, too, and our constituents read them. In Arizona, we had veterans who died waiting to get a routine appointment. We had scheduling errors. People were getting bonuses for scheduling things they had falsified. We had a lot of things that were disappointing to all of us. We worked hard in the Veterans Affairs Committee in the House and Senate to address these tough issues head-on and fix them so that the VA would be the best functioning health delivery system it could possibly be for the people who were willing to risk their lives for each of us when they joined the military.

I think it is appropriate that we are doing this the week before Memorial Day. Next Monday, we will celebrate all of those who, in all the wars that preceded the fight we have today, represented our country, volunteered unselfishly, fought, and in some cases died for America's peace, freedom, liberty, and the perpetuation of our democracy.

One promise we made to them was that they would have good quality healthcare, and it would be successful. Four years ago, with the leadership of JOHN MCCAIN, we started the movement toward Veterans Choice. We passed a good bill with a 40-mile rule and a 30-day rule. The 40-mile rule said that if you live within 40 miles of a VA clinic or service, you can go to a closer clinic in the private sector, as long as it is approved by the VA. The 30-day rule said that if you couldn't get an appointment for a routine medical service in 30 days, you could get an appointment in the private sector, and the VA would approve it. But the labyrinth of the approval process for that 30-day appointment or that 40-mile access made it almost impossible for the veteran, in many cases, to get access that is as timely as we would like it to be.

It was a good start. It was an improvement in our process. It addressed the problem—but not well enough. We learned enough as a test bed to know that veterans liked Choice, as long as it was not so cumbersome that they couldn't use it. The VA liked Choice, as

long as they were a partner with a veteran who made the choices, so we lost no continuity in healthcare.

With the passage of the MISSION Act, we are repealing both the 30-day rule and the 40-mile rule. Instead, we are saying the following: If you are an eligible veteran for VA healthcare services, you can choose a private sector doctor if you want to, as long as the conditions and circumstances, in concert with your VA primary care doctor, fit. In other words, the VA needs to know about it and work with you in making that decision and work with you in finding that private doctor. We are not going to have mountains of paperwork and third-party administrators breaking the rules and regulations and slowing things down. Instead, the VA will be motivated to see you, the veteran, get fast, timely service and quality healthcare, whether it is private or the VA.

There have been some who have talked about this being privatization. It is not privatization; it is mobilization. We are mobilizing healthcare for the veterans to see to it that they have access in a timely fashion. The VA is an instrumental service for our veterans who come home. Many of them come home with injuries and sicknesses and illnesses and diseases that, quite frankly, nobody ever contemplated people surviving.

Who heard of PTSD and TBI 20 years ago? Who saw veterans lose arms and legs—in some cases, all of their arms and legs—and survive a battlefield wound? How many of you have seen people wear an eye prosthesis, where they had an eye replaced? The VA has specialists who can do all of those things, the best in the world. They can deliver high-quality healthcare and high-quality rehabilitation to veterans with the most serious injuries in the history of warfare. We will always continue to do that, but we also have to understand that when healthcare in the private sector can be utilized for the convenience of the veteran—not as a competitor to the VA—we can use it as a force multiplier to lower the number of people we have to hire and, in addition, lower the number of hospitals we have to build and instead provide that money for services to our veterans. It is a win-win proposition for the VA and for all of us.

It is no secret why every former VA Secretary who has served this country has endorsed the VA MISSION bill. All of them have endorsed it, every one of them, whether a Republican appointment or appointment by a Democratic President. They all know this is something we needed to do for a long time. It is no secret why we got a vote of 91 to 4 yesterday on the floor of the U.S. Senate to invoke cloture and go to a vote today on the VA MISSION Act. It is past time we made sure our laws for healthcare available to our veterans are as high quality as our veterans are when they go to fight wars for us.

Secondly, I want to focus on another feature which is very important to me

because I was in the service. I was not in Vietnam. I am a Vietnam-era veteran. I was in the Georgia Air National Guard during the Vietnam War. I lost buddies in that war. I know a lot of our soldiers sacrificed in that war and made it home with terrible injuries, but because of our healthcare delivery system in the battlefield and at other hospitals around the world, we were able to save veterans and rehabilitate them, but the need for ongoing medical healthcare for the basic essentials of life is sometimes one of the byproducts for some of the injuries and for some of those who survived those wounds.

There are veterans who have difficulty feeding themselves. There are veterans who can't dress themselves. There are veterans who need assistance in the five basic essentials of life, and then from time to time, they have to call in a caregiver. There are spouses, moms, in some cases, dads, brothers, and sisters who come and deliver those services to their brother or sister or son or daughter. If they are a veteran of almost any area except Vietnam, they get caregiver benefits from the VA or a stipend benefit provided to that volunteer to help that veteran. It helps the veteran pay for their service, and it helps the VA not have to go out to find someone to do it because there is someone offering to be their caregiver. We are expanding the caregiver services in the VA to all veterans, so finally the Vietnam-era veterans and their families will be as eligible as anybody else who is entitled to VA benefits.

PATTY MURRAY of Washington, SUSAN COLLINS of Maine, and a lot of Members of this Chamber today deserve credit for that. We fought for caregivers for a long time. It is a big step forward, and it is going to be a lifesaver and a life extender for many and remove just one of the major burdens that some have to care for a spouse or a loved one injured in battle or who has fought for us.

I can go on and on and on about detail after detail after detail in this bill, but I don't want to bore everyone. I want everybody to realize, when they go home this weekend, how important it is to tell them what we have finally done. We have finally dealt with the accessibility of healthcare to our veterans. There will be no more headlines of veterans dying because they can't get an appointment because they are going to be able to get an appointment. They are going to be able to make the choice with the VA at that appointment. It is not the case anymore where a veteran is going to die because they can't get a basic service to stay alive at their home, that if they don't have the money to pay for a caregiver, they therefore languish, unable to feed themselves or clothe themselves or live in a sanitary condition. That is the very least we owe to our veterans. Today, when you cast your vote for the VA MISSION Act, you will do just that.

I want to address some individuals, if I can, and thank them. One, I thank

JOHN MCCAIN, whose idea this was originally. He is a great hero to all of us, a friend to all of us, one we love and pray for today as he recovers from cancer. JOHN is the one who started the movement toward Choice, and he deserves the credit for it.

I thank all of those Secretaries who have worked with us over the past 3 or 4 years to get to the point where we are able to pass the VA MISSION Act today.

I will tell you whom I really want to thank. I want to thank all those veterans who sacrificed and died for us in the wars before now. The reason we enjoy our freedom and you, Madam President, can preside freely without fear of retribution, I can say what I think without fear of retribution, I can say to our constituents who gather in the Gallery and listen to what we have to say, and protest if they wish, is we have a Constitution and 10 basic amendments, the first 10 being our Bill of Rights. It gives us everything, but the ones who protected that gift are our veterans.

It is not a stretch to remember that had it been a different outcome in World War II, I might be speaking Japanese or German today, not English, but because of our veterans and because of our soldiers who fought in the Battle of the Bulge, who fought in the Pacific—my father-in-law flew reconnaissance in the Pacific. My brother-in-law was in the Air Force in Vietnam. If those vets had not risked their lives and really offered their lives in exchange for our liberty and freedom, we wouldn't be enjoying this today. So we owe no less than the MISSION Act to our veterans. I am proud to be part of it, and I am proud of my committee and my committee members who are doing so much to help us.

Let me just say thank you to my colleagues for your vote yesterday. I urge you to vote today for passage of the VA MISSION Act. It is an honor to serve our country as a Member of the U.S. Senate. It is an honor to be an American. May God bless our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I rise to speak in support of the VA MISSION Act. I want to begin by thanking the chairman of the Veterans' Affairs Committee who has shown incredible leadership on behalf of our veterans for many years, and this bill fits right in that mold.

This is a very important bill for a number of reasons. Obviously, it is an important bill because it supports our veterans, but it really has important provisions in it that will make a difference for our veterans. I want to thank the chairman of the VA Committee. I want to thank him not only for the quality of the work in this bill but for building the bipartisan coalition necessary to pass it because it really does make a difference for our veterans, to whom we owe so much.

I would like to go through not all but some of the provisions that I think are really important, some I worked on and some I think really do make a difference for our great veterans.

As I said, I speak in support of the VA MISSION Act. It is bipartisan legislation that will help ensure veterans receive the care they so very much deserve.

This piece of legislation not only strengthens the VA's ability to care for our veterans, but when the VA is unable to provide that care, it gives our veterans a choice to seek care in their home communities and to do it on a basis that is convenient, that works for them, and then to make sure those healthcare facilities will provide that service to our veterans because they know they will be compensated for it by the VA.

That is a huge issue because it is not just about making sure there is care out there for our veterans but making sure it is quality care and that it is available to them.

We owe our veterans more than we can ever repay for their incredibly dedicated service. Expanding veterans' access to healthcare options closer to home is just one of the ways we can show our deep appreciation for their service to our country.

Providing this kind of care has proven to be particularly challenging for our veterans residing in rural areas. I live in a rural State, and to get that access to quality service in these rural areas is a challenge. It is a challenge we have to address and a challenge we address directly in this legislation, which is why I am so deeply appreciative that we are working to pass this legislation.

In 2014, the Veterans Choice Program was enacted to alleviate unacceptable waiting times for care at the VA. However, the Veterans Choice Program has been in need of improvement.

In 2016, I worked to secure and implement the Veterans Care Coordination Initiative at our Fargo VA health center. The Fargo VA health center serves all of North Dakota, and it serves half or more of Minnesota as well. The initiative we worked to put in place at the Fargo VA—and the Fargo VA does a tremendous job. We have some VA health centers around the country that obviously need improvement, but the Fargo VA health center does a top-quality job.

This initiative is an initiative we put together as part of the Veterans Choice Program. It has allowed veterans seeking community care to coordinate all of their healthcare through the Fargo VA health center rather than the third-party contractors that were set up under Veterans Choice, and obviously we had some challenges with those contractors. So this allowed the VA health center to provide that service directly, both if the veteran came into VA for institutional care at the healthcare center or at one of its CBOCs or if they wanted to get Vet-

erans Choice care from a private provider in their local community. The initiative has been very successful and has significantly reduced wait times for community care appointments.

The VA MISSION Act builds on that very effort. It builds on that effort by requiring the VA to schedule medical appointments in a timely manner. When the veterans need healthcare, they have to be able to get in and get that care in a timely way.

The MISSION Act improves community care initiatives at the VA, including the Veterans Choice Program, by streamlining it into a single veterans community care program that will be able to provide better care for our veterans. That is the bottom line—better care for our veterans.

Today I want to highlight three priorities we worked to include in the MISSION Act to provide veterans in North Dakota and across the country with better care closer to home.

First, the long-term care piece. When we are talking about care, it is not just medical care; it is long-term care. It is in-home care. It is nursing home care. It is that whole continuum of care that is so important. The VA MISSION Act includes key pieces of legislation I introduced as a stand-alone act. That bill was the Veterans Access to Long Term Care and Health Services Act, and it focused on that long-term care piece, making sure veterans could get the VA to reimburse nursing homes and that nursing homes would take that VA reimbursement and take veterans.

That is why I introduced the legislation, along with some of my other colleagues, to increase veterans' access to long-term care options in their communities.

For example, currently, in our State, only about 20 percent of the nursing homes contract with the VA due to difficult regulations and reporting requirements. That is not dissimilar from across the country. That is what we are seeing across the country, only a percentage—ultimately, a small percentage—of nursing homes that will take that VA reimbursement because of the redtape and difficulty contracting with the VA in order to get that reimbursement. A veteran should not have to relocate across the State because they can't go into a nursing home in their community because of that reimbursement issue. That is what this legislation addresses.

Think how important that is. You want your veteran to be able to go in and get long-term care in their community, close to their home, close to their family, right? That is what this is all about. Our legislation will allow non-VA long-term care providers, including nursing homes, to enter into provider agreements with the VA. These agreements will cut through the bureaucratic redtape at the VA that has prevented our veterans from receiving long-term care services closer to home. This means veterans can access nursing homes and other long-term care in

their communities closer to home and closer to their loved ones.

The MISSION Act also expands caregiver benefits to veteran caregivers of all eras. Again, this is a very important provision. The VA's program of comprehensive assistance for family caregivers includes a monthly tax-free stipend, healthcare coverage under the VA Civilian Health and Medical Program—if the caregiver is not eligible for coverage under another health plan—counseling and mental health services, up to 30 days of respite care services, reimbursement for travel-related expenses required for an eligible veteran's examination, treatment, or episode of care, and travel for caregiver training is also reimbursed.

Currently, these benefits are only available to caregivers of post-9/11 veterans. The inclusion of this provision will help support pre-9/11 veterans and the family and the friends who take care of them.

The other provision I want to mention again is really important for our rural areas and for our veterans in the rural areas. This is a very important provision. This priority, this provision, removes the Veterans Choice Program's 30-day, 40-mile eligibility requirement. So it removes that 30-day wait, that 40-mile eligibility requirement. Instead, the bill allows veterans to receive care in their local community when services are not available through the VA or if the veteran and his VA medical team determine that receiving community care would be in the best interest of the veteran—again, what is best for our veterans.

This is a priority we have been working on for veterans in my home State and really States across the country, particularly our rural States.

As I mentioned, for example, North Dakota's only health center is in Fargo. We have CBOCs around the State, but the only health center, the full-scope health center, is in Fargo. As I said, it covers all of North Dakota and, frankly, most of Minnesota. We have these community-based clinics out there. While they provide some services, they aren't always equipped to provide the care necessary for our veterans. So what does that mean? That means the veteran has to travel in some cases a long distance.

Under the Veterans Choice Program's 30-day, 40-mile eligibility requirement, a veteran living within 40 miles of a CBOC meant they either had to go to that CBOC or travel a long distance to a VA health center. So they weren't eligible for that community care, as I say, forcing many veterans to travel long distances, often in inclement weather, in order to receive VA reimbursed care. This legislation, the MISSION Act, removes that requirement. So now, when a VA medical center or CBOC can't provide the service a veteran needs, then those veterans will be able to access healthcare services in their local community.



So we have veterans traveling hundreds of miles now, round trip, inconvenienced, making it very difficult for them and their families. No more. Under this legislation, that 40-mile requirement and the 30-day limit is taken away. If it is most convenient for a veteran to access care from a private provider in their community, they can do it. That is a huge step in making the Choice Program work for our veterans.

Just a few days from now, our Nation will set aside a day to honor those who made the ultimate sacrifice. It is because of their sacrifice that we can experience the freedoms we enjoy as Americans. Sending this legislation to the President's desk is one way we can show our gratitude for their actions.

I wish to congratulate again the great Senator from the State of Georgia and thank the Senate VA Committee staff for their leadership, perseverance, and hard work to get to this point. I am pleased that both sides of the aisle have come together to support this legislation and to support our veterans. I am proud to support the VA MISSION Act. Again, I urge my colleagues to support its passage.

With that, I yield the floor for the Senator from the State of Missouri.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Missouri.

Mr. BLUNT. Mr. President, I join my colleague from Georgia. I also join Senator HOEVEN in mentioning the incredible leadership that Senator ISAKSON has shown for veterans and the way we deal with veterans' concerns. We honor their service.

The Senator from North Dakota just mentioned that Monday, of course, is Memorial Day. On Memorial Day in 1983, President Reagan said:

I don't have to tell you how fragile this precious gift of freedom is. Every time we hear, watch, or read the news, we are reminded that liberty is a rare commodity in this world.

President Reagan's words from 35 years ago are every bit as significant today as they were then. The willingness to pay the price for freedom has been paid by every soldier, sailor, airman, and marine, and every person in the Coast Guard, the National Guard, and the Reserves. So on Memorial Day, we honor their willingness to do that.

This is a good time also for us to discuss the things Congress has been doing to try to honor that service as we continue to look at the challenges that veterans face. I have spoken before about the HIRE Vets Act, which was signed into law last year. The bill established the HIRE Vets Program within the Department of Labor to provide tiered recognition of what employers do based on their contributions for veteran employment. Some of the criteria were things like these: What percentage of the new hires are veterans or what percentage of the overall workforce is veterans? What types of training and leadership development opportunities are made available that vet-

erans have unique opportunities to take advantage of? What recognition is given to skills that veterans learn while serving? What other benefits and resources are offered to veterans—things like tuition assistance?

Creating a national standard will help vets narrow down their employment options and focus on their job search efforts.

The HIRE Vets Program is up and running. This year, over 300 employers have signed up to participate in the pilot program, and we will see how that pilot works. I hope it works as well as those of us who sponsored and voted for the legislation thought it would—as a way to begin to give the recognition to employers that they deserve when they go beyond saying: Of course, we like to hire vets. HIRE Vets shows just exactly how much you like to hire vets and what difference it makes when you hire those vets.

The second program that is getting started this year is the Military Family Stability Act. It was signed into law last November. We have the most powerful military in the world, the most well-trained military in the world, and a military that we have invested money, training, and energy in like none other. But the real strength of the military, according to military leader after military leader, is military families.

In the Military Family Stability Act, we have created a new opportunity for families, because of education reasons or work reasons, to leave earlier than the spouse who is serving has been assigned for or to stay a little later if school is going to start before you otherwise were going to get there or school is going to be out a couple of weeks or a couple of months after the serving spouse had to leave. We have given families that option for the first time, where the family residential support money stays, and I think lots of families are going to take advantage of that. Families in the past could do that if everybody up and down the chain of command agreed. Now families get to do that because they think it works for their families.

Secretary Mattis and Chairman MCCAIN are very supportive of this program, as was the Chairman of the Joint Chiefs of Staff, General Dunford, and we are looking forward to seeing how families are able this year, for the first time, to look at that next assignment and decide when it is the right time for the family to move to that assignment.

I have talked to lots of families, many of whom saw that moment as the moment they decided to leave the military or the moment they looked back and saw it as their most challenging time, when a spouse's job had to needlessly suffer or that last month of school couldn't be completed just because they didn't have that flexibility.

Now, President Trump has just nominated Acting Secretary Robert Wilkie to head the VA. We look forward to his leadership there. The President and the

acting head of the VA just signed a contract with Cerner, a Kansas City company that will modernize the VA's healthcare IT records, the records that healthcare providers in the whole system can access. Cerner was already in the process of coming up with a system that worked for the active Defense Department. So it only made sense for them to be the company that also makes that transition into the even bigger VA health system—a system that works.

Almost 2 million veterans have used the Veterans Choice Program. Senator ISAKSON has talked about how the bill we will be voting on improves that program. The Senator from North Dakota just spoke about some of the obstacles that, frankly, the VA system had put in the way of veterans who wanted to take advantage of the program.

I have had people from Missouri in our office lately who are looking at VA health. We had a great discussion with the hospital administrators in our State about how it not only helps them but particularly helps small community hospitals, if they can identify something that a community hospital does better than they do and they are able to assign that work to be done there.

The bill expands, as Senator HOEVEN just mentioned, the caregivers program and makes the eligibility for caregivers greater than it has been before.

Senator BLUMENTHAL and I had a bill that was incorporated into the program, the Veteran PEER Act, which just simply turns to peer group veterans and lets them become part of the emotional and mental support team for veterans who are being challenged. I am glad to see that legislation in the MISSION act that has gone through the process. Certainly, Senator ISAKSON and Senator BOOZMAN and others on the Veterans Committee—the people who have served on that committee in many cases in the House and Senate—realize what needs to be done here. Nearly 40 veterans service organizations, like the VFW and the American Legion, support this legislation.

Together with the VA MISSION Act, the electronic health records system contract that is now being performed by Cerner, the HIRE Vets Act, and the Military Family Stability Act, I think what we see here is that when we think we have done everything we need to do to honor our veterans and, then, we look more closely, we find that there are still things that we can do, that we will do, that we clearly are willing to do. We owe veterans that.

We recognize veterans in many ways over the next few days, but the Veterans' Administration has a job to recognize veterans every day and fulfill our obligation to veterans every day. I look forward to seeing the implementation of this well-thought-out addition to the veterans health system.

I see my friend from Arkansas, Senator BOOZMAN, is here, and he is next on our list.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, I thank the Senator from Missouri very much.

Our Nation's veterans were promised access to healthcare for their service and their sacrifice. This week we continue our work to uphold that pledge.

The bill before us, the VA MISSION Act, aims to transform the Department of Veterans Affairs delivery of community healthcare. That is a welcome job.

Specifically, the VA MISSION Act consolidates and improves VA community care programs so veterans have access to healthcare and services in their own communities. This is important because veterans should have access to the best healthcare and services in a timely manner, regardless of where they live.

Under this legislation, a veteran and his or her doctor will decide where that veteran will receive care, taking into consideration the veteran's healthcare needs and the availability and the quality of both VA and community care.

For largely rural States, like Arkansas, this makes all the sense in the world. We have two VA medical centers in the Natural State, in Little Rock and in Fayetteville, as well as facilities in neighboring States that often serve Arkansas veterans. The healthcare providers and staff at those facilities that are community-based outpatient clinics in Arkansas truly do an excellent job in caring for our veterans.

But the VA medical centers are in populated areas, which, in cases where veterans need more advanced care than the CBOC can provide, it means a full-day trip for many veterans. It is unnecessary when a veteran could receive similar quality care outside the VA system in their communities. The service options provided in this bill will give veterans who live far from the VA facility and need frequent followup care easier access to local providers and walk-in clinics.

As noted in a letter signed by over 30 VSOs supporting the VA MISSION Act, the legislation is an effort to "supplement, not supplant, VA healthcare." That is very important to note. Much like the Choice Program that preceded it, the new system that will be established by the VA MISSION Act is not meant to replace VA healthcare. Rather, it builds on the foundation laid out by the Choice Program, which addressed many shortcomings within the VA system that led to the wait-time process.

Last year, I launched a listening tour to hear from Arkansas veterans about their experiences within the Choice Program, so we can better meet their needs. I heard from Arkansas veterans who have been able to get quality care from private providers in their own community when the VA system could not meet their needs. That is a good thing, but as the veterans with whom I met noted, the Choice Program had its

share of problems, its share of troubles. I heard repeated stories of difficulties navigating the complex and confusing bureaucratic process. This legislation aims to alleviate those problems. While VA implements the new system, we cannot afford to let care slip for our veterans. That is why we made sure the VA MISSION Act authorizes funding to continue the current Choice Program for more than a year.

In addition to the improvements to healthcare delivery, the bill will enable us to conduct better and more consistent oversight into how the VA spends money on veterans' healthcare. This is a priority for me as the chairman of the Appropriations Subcommittee on Military Construction and Veterans Affairs. We must ensure that the VA is efficiently and effectively providing veterans with quality healthcare, whether at a VA facility or a private facility in the community. The VA MISSION Act will also improve the VA's ability to hire quality healthcare professionals, strengthen opioid prescription guidelines for non-VA providers, and create a process to evaluate and reform VA facilities so they can best serve veterans.

I wish to quickly highlight two other important provisions of the bill. One is the expansion of the VA caregiver benefits to veterans of all generations. This is a long-overdue reform that will correct an injustice that left family caregivers and veterans injured before September 11, 2001, without critical care. Caregivers and veterans of World War II, the Korean war, the Vietnam war, and the Gulf war will now have access to the same benefits as the post-9/11 veterans.

The second revision is based off a bill I cosponsored that would authorize VA healthcare professionals to provide treatment to patients via telemedicine regardless of where the covered healthcare professional or patient is located. The Arkansas VA medical centers are leaders in telehealth, which holds great promise, especially for largely rural States like Arkansas. It is important that the VA continue to encourage its growth without unnecessary bureaucratic redtape.

This bill is a great example of what we can accomplish through bipartisan, bicameral compromise, working together for our veterans.

I thank the majority leader for swiftly bringing up this bill for consideration after the House overwhelmingly passed it. I commend Chairman ISAKSON's hard work and leadership. I appreciate the great job he has done and also Ranking Member TESTER, who took the advice of all VA Committee members into consideration while working on this major piece of legislation.

I look forward to supporting the VA MISSION Act on the Senate floor so our veterans have access to the quality care they deserve.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I ask unanimous consent to enter into a colloquy with Senator ISAKSON.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LANKFORD. Mr. President, I thank Chairman ISAKSON for the work he has done on this important issue. It has been a long road to work through reforming the VA. The VA is exceptionally complicated. There are a lot of interests engaged with this. He has heard a lot of voices from all over the country and all over this town in order to help resolve some of the issues and bring them together.

This is exceptionally important, though, for our veterans—especially for our veterans who live in rural areas that are very far from healthcare.

Section 101 of this bill requires the VA to give access to community care when a veteran's referring clinician agrees that furnishing care or services in the community would be in the best interest of the veteran after considering certain criteria—and this is very important—things such as the distance they have to travel; the nature of the care that is required; the frequency of the care, so they don't have to travel back and forth, often for long distances; the timeliness of available appointments; whether the covered veteran faces an unusual or excessive burden. It includes the family and the veteran. So in the conversation that is happening, it is not just a clinician making a decision; the veterans are at the table, and their family is brought into consideration.

This is important not just for so many veterans who have to travel long distances; it is important for veterans who live close. The chairman and I have spoken on this briefly before.

I have a veteran in my State who was at the Muskogee facility and who was getting great care. I stopped by to visit veterans in the Muskogee facility and went room to room visiting with people, checking on them and their care. I asked how he was doing, and he said he had great nurses and great doctors and has really done well.

My next question: Is this the first time you have been in this facility?

He said: Well, no—kind of. I had cancer treatment a couple of years ago. But they couldn't do it here in my town; they sent me to Seattle to get my cancer treatments.

I said: Did your family get to go?

He said: No, sir. They couldn't go.

So that was the best facility.

He said: I got good care there, but I went a long way and spent months and months away from my family getting chemo, radiation, surgery, and then followup.

He would have loved to have done that at any number of cancer facilities in Oklahoma. In fact, in Oklahoma City, there is a National Cancer Institute—one of top 2 percent of all the cancer hospitals in the country is right down the road.

The question is, Once this bill passes, in future situations where veterans are

facing great need for specialties—like cancer and other issues—will this be a situation where veterans will continue to be sent across the country, away from their families, for care because that is easiest on the VA, or will their family members and the frequency of visits be brought to bear in that so they will be able to make the decision that maybe they can get that great care locally?

Mr. ISAKSON. I thank the distinguished Senator from Oklahoma. I will tell him that the story of his veteran from Muskogee led us to the way we wrote a lot of the provisions in section 101. Comfort, ease, and accessibility for the veteran are equally important to every other consideration that will go in.

The veteran who was sent to Seattle before would now be able to get treatment in Oklahoma City or in Muskogee or wherever else closer to home that is more convenient as long as it is in the best interest of that patient. Specifically, it says that a veteran and the veteran's referring clinician agree that the care or services in the community would be in the best medical interest of the veteran after considering criteria, including—and then all those criteria. So every personal criterion, as well as medical criterion, is considered. So that should never happen again because of the VA MISSION Act. I appreciate the Senator bringing it to our attention, and I hope it never happens again in Oklahoma or anywhere in the United States.

Mr. LANKFORD. Anywhere else. I thank the chairman for that clarification. We look forward to doing what is in the best interest of the veteran and the veteran's care—not necessarily what is the simplest thing for the VA but what is in the best interest of that veteran and their family.

I appreciate all the great folks at the VA who serve our veterans so faithfully every day and will continue to be able to give them what they need to do that but also help our veterans know that they are going to be taken care of in the best possible way.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, as we approach Memorial Day weekend, we will soon pause to honor and remember the members of our Armed Forces who have paid the ultimate price in service to our country.

As Americans, we honor all our veterans who have sacrificially fought for our freedoms—certainly those who have paid with their lives but also those who have returned home, determined that we not forget their fallen brothers- and sisters-in-arms.

Among the most meaningful ways Congress can honor our veterans is to uphold the promises that have been made to them. One such promise and responsibility is to ensure that America's veterans have access to the quality medical care they earned through their service.

I thank Chairman ISAKSON and his staff for all the effort they have put into the bill before us. His tireless work on behalf of America's veterans has produced the compromise legislation now pending that aims to reform the VA's broken community care programs.

I particularly appreciate Chairman ISAKSON for sending his staff to Wyoming to understand the problems our veterans and providers have had with VA Choice.

Since the VA Choice Program was enacted in 2014, I have received hundreds of letters and calls from people across Wyoming who were so frustrated with the program that they felt they had no other choice but to call their Senator. I have been contacted by veterans who could not access timely followup care or critical screenings because of unpaid claims, leading to providers dropping patients. Some veterans are even facing collections from the Choice Program's failure to pay the providers' claims.

Similarly, many providers have not been paid for medical services they have provided. That has led some of Wyoming's physicians to stop participating in VA Choice. We are the least populated State in the Nation, but earlier this month, we had 3,130 pending claims in Wyoming, with 1,025 of them being over 30 days old. To get those numbers to even that level has required multiple meetings with the Department of Veterans Affairs and the administrator of the VA Choice Program for Wyoming. At the end of March, there were 5,319 pending claims and 3,214 more that were more than 30 days old. A number of my colleagues have participated in those meetings, and I appreciate their shared interest in improving care for our veterans in rural States.

Despite those meetings, I still hear reports about how difficult it is to get simple questions answered. Whether dealing with the VA directly or with contractors who are supposed to administer the program, the process of receiving and paying for healthcare services is broken.

I believe the problems faced by Wyoming's veterans and doctors will be improved by this bill. I thank the Senator from Georgia for including provisions related to healthcare providers, veteran education, prompt payment to providers, tools for the VA to resolve payment issues, and VA flexibility to enter into agreements between VA facilities and healthcare providers. However, I do have one disappointment. I do have one concern with the bill. It is not paid for. I believe we must acknowledge that borrowing more money to pay for this program isn't an ideal way to honor our veterans. CBO estimates that Federal outlays will total more than \$56.6 trillion over the next 10 years—that is \$56,600 billion—and yet nowhere in that budget can we find \$4.5 billion to offset the cost of this program?

I believe we should care for our veterans in a fiscally responsible manner. In fact, I believe this is the best way to ensure their care long term, as well as the care for veterans of the next generation.

I ask for support of the bill.

I thank the Presiding Officer.

I yield the floor.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to engage in a colloquy with my friend and colleague, the distinguished chairman of the Senate Veterans' Affairs Committee, Senator ISAKSON.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I would like to confirm my understanding that the term Indian Health Service as it appears in section 101 of the MISSION Act of 2018 includes Tribal health providers that are funded by the Indian Health Service and step into the shoes of the Indian Health Service pursuant to the Indian Self-Determination and Education Assistance Act to provide healthcare.

Mr. ISAKSON. Mr. President, the Senator is correct. The term Indian Health Service includes Indian Tribes and Tribal organizations that operate healthcare facilities in lieu of the Indian Health Service pursuant to a contract or self-governance compact with the Federal Government.

Mr. ENZI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMERICA'S WATER INFRASTRUCTURE ACT

Mr. BARRASSO. Mr. President, over the past 50 years, our country has gone from being a construction society to a consumption society. As a result, our bridges, our roads, our dams, and our waterways have suffered. President Trump has said that rebuilding America's infrastructure is a priority for his administration. He said that we will build "with American heart, American hands, and American grit." That is what President Trump said in the State of the Union this year.

Yesterday the Committee on Environment and Public Works took a big step toward meeting that goal. We voted to approve the America's Water Infrastructure Act.

There are a lot of people in Wyoming and around the Rocky Mountain West, as well, who say that—well, it was originally attributed to Mark Twain, and it goes like this: "Whiskey is for drinking; water is for fighting over."

Surprisingly, in this case, we actually didn't fight over the water of the United States. This legislation was written by Republicans and Democrats, and it passed with unanimous, bipartisan support of 21 to 0. Both parties

agreed that there is a lot we can do to improve America's water infrastructure.

Basically, the bill comes down to three big things. It grows the economy and creates jobs, it cuts redtape by getting more control out of Washington, and it keeps communities safe.

The first way this legislation supports America's economy is by increasing water storage. That is a big concern in my home State of Wyoming and across the West. We have had a serious problem over the years where sediment builds up behind dams in the lakes where water is stored. That sediment limits the amount of water the lakes can hold. We are telling the Army Corps of Engineers and other agencies to develop plans to deal with this sediment at Federal reservoirs. That is a simple thing that Washington can do, and now it is going to get done.

We are also expanding water storage capacity by making it easier to get permits for additional reservoirs. We have a facility in Lincoln County, WY, that is called the Fontenelle Reservoir. We have been trying to expand the water storage at that reservoir for years. This legislation makes sure the expansion will finally occur.

Farmers, ranchers, and communities nearby will get a new, reliable supply of the water they need. Of course, the water doesn't do much good if people can't get it where they need it. So we fix the failing irrigation systems that are so important in rural areas.

We are also improving America's inland waterways, which people rely on to move products to market. On the coasts, we deepen some of the most vital ports, and we can ship goods from there around the world.

The pro-growth policies, like the tax cuts we passed last year, have helped America's economy take off. Now we need to make sure that we have the water infrastructure in place to keep it growing, to keep people working, and to keep American raw materials and American-made products moving.

The second thing this legislation does is to cut some of the burdensome and unnecessary redtape that does nothing but get in the way of economic progress that we need. We are going to make sure that these water projects reflect the priorities of the American people, not the priorities of Washington bureaucrats. That means more local control over which projects get built. Local leaders know what they need, and they know which projects will make the biggest difference.

Once we identify the best projects, then we need to make sure that they actually get built. Today, the permitting process can drag on for years, while people get more and more desperate for projects to be finished.

The America's Water Infrastructure Act will push the Army Corps of Engineers to complete all feasibility studies for new projects within less than 2 years. We also eliminate the need for multiple benefit-cost-ratio assessments

for a single project. These are expensive, and they take lot of time. Often, the Army Corps of Engineers will require new assessments several times for a single project. This legislation gets rid of these redundant studies. It is going to make a big difference in getting things built on time and on budget.

The third big thing that this legislation does is to help keep American communities safe. We are going to repair some of the old drinking water and wastewater systems across the country. We provide help for places that need to clean up pollution in their water and to keep the pollution from getting into the water in the first place. As a doctor, I can tell you that this is extremely important for the health of our families and for our communities. That is why it is a priority in this legislation.

We also take some important steps to reduce floods in rural areas. In my home State of Wyoming and in other parts of the West, this is a continual threat for many people. Every spring they have to worry about floods caused by snow and ice melting. We have dams and levees where maintenance has been put off for so long that people are anxious every time the water starts to rise. We are addressing the backlog of maintenance as well. We are looking for ways to permanently fix some of these areas where ice backs up along the rivers and cause serious damage.

Most people don't give a lot of thought to the water that comes into their home. They turn on the faucet, water comes out, comes into the house, and water goes out of the house. This legislation makes sure that people don't have to worry about that changing. Their water will be safe, reliable, and abundant so they will not have to worry about it.

For most of us in the West, water is always on our minds. It is vital to our way of life. We rely on irrigation and water storage for our livestock and our crops. We rely on water to transport our products to markets far away. We rely on dams and levees to protect us from floods. This legislation makes sure that people in rural communities can still count on the water being there when we need it.

That is good for all of us. Republicans and Democrats agree. We know there is a lot of work to be done to address America's water infrastructure needs. We know we need to get the job done right. We need to get it done faster, better, cheaper, and smarter. The America's Water Infrastructure Act does just that. This cooperative piece of legislation passed the committee 21 to 0. Now it is time for the entire Senate to act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I wish to start by congratulating my colleague from Wyoming on reporting out this legislation on water infrastructure

and, particularly, for the help he has given us with regard to the Great Lakes. What the Senator has done to help us to maintain and to protect the Great Lakes is very much appreciated. It is the No. 1 tourist destination in Ohio, and there is a \$6 billion fishing industry in the Great Lakes, with Lake Erie being the No. 1 lake for fishing.

The Great Lakes Restoration Initiative the Senator supported is incredibly important, as well as keeping the dredge material out of the lake and helping us with the Army Corps. We thank the Senator. We also hope to keep invasive species out of the lake, including bighead carp, which would ruin that \$6 billion fishing industry. We thank the Senator for his support. We look forward to getting that bill to the floor soon for a vote.

#### MEMORIAL DAY

Mr. President, today I wish to talk, as other colleagues have, about the men and women of our Armed Forces—the brave men and women in uniform who protect us every day and some of whom have made the ultimate sacrifice for all of us.

This coming Monday, of course, is Memorial Day. This holiday weekend is a time for all of us to kick back a little bit, spend some time with our families, relax, and be with friends. But let's not forget what Memorial Day stands for. It is first and foremost an opportunity to reflect on the service and sacrifice of those who gave their lives defending the freedoms we enjoy and sometimes take for granted as Americans.

I will be spending part of the day at a Memorial Day parade that I try to attend every year and have for many years in Blue Ash, OH, which is north of Cincinnati. It is an event that I think is as patriotic as any I have seen in my State. It is a wonderful parade. There are many veterans in the parade but also veterans who come to watch. It ends at a beautiful memorial for our veterans. It was constructed over time in Blue Ash, paying tribute to patriots from every single conflict we have been involved in as a country since our founding.

Across the country on Memorial Day, we will give humble thanks to those brave men and women in uniform who, during their lives, fought for the principles we hold dearest and who, in their deaths, sacrificed themselves in defense of those Americans ideals.

Freedom is bought at a price, sometimes a very high price—the price of lives, of limbs, of some of the veterans who gave the prime years of their lives for all of us. Part of the cost is the scars of war. Some of those scars are very visible, of course. Others are more invisible—those who are coming back with PTSD or traumatic brain injuries. Those scars can't be seen, but they are certainly felt. Servicemembers brave those risks because of their sense of duty and their sense of patriotism.

I am proud to be the son and the grandson of two Army infantry lieutenants. One is a World War I veteran, and

one is a World War II veteran. They instilled in me this importance of duty, hard work, the virtue of service, and the merits of servant leadership. They believed in these values and embodied them in their lives, as so many veterans do.

This weekend, as we pay thanks to the many men and women who were laid to rest under the flag they died defending, we should all take a moment to remember and thank all veterans as well—past and present—whose service also has made our way of life possible.

The men and women of our United States military represent the best in all of us, and they deserve the best from all of us.

#### VA MISSION BILL

Today, Mr. President, the Senate will vote on what is called the VA MISSION Act, which is a bipartisan bill that will reform the Veterans Choice Program. I have heard my colleagues speak about this legislation on the floor this morning and this afternoon, and I agree with them that this is a positive step forward. It will expand private care options and provide veterans in Ohio and around the country with more choices and fewer barriers to ensure they will have the best healthcare possible.

By the way, the bill has passed the House of Representatives already. It passed last week, and it received more than 370 votes. That is unusual around this place. That was out of 435, so it was a strong majority. I look forward to its passing the Senate with a sweeping bipartisan majority as well so it can be signed into law as soon as possible and begin to help the veterans I represent in Ohio and around the country.

We had another positive development for veterans last week when the Senate's Energy and Natural Resources Committee passed a bipartisan bill I introduced with Senator BROWN that would designate the spectacular new Veterans Memorial and Museum, in Columbus, OH, which is scheduled to open later this year in the fall, as the National Veterans Memorial and Museum. It will be a spectacular structure. More importantly, it will have terrific exhibits on the inside to allow for future generations to know about the selfless sacrifices that have been made by so many men and women of the Armed Forces.

The National Veterans Memorial and Museum in Columbus will be one important way we will commemorate not only brave Ohioans but all American veterans. This legislation will have been voted on by both Houses and will be signed into law by the President, I hope, very soon. In fact, I would love to get this bill through this body before Memorial Day as a way to pay tribute to our veterans again.

It is not something we are asking the taxpayers to support. This National Veterans Memorial and Museum is being supported by \$75 million that has been raised in the private sector. There is a philanthropist in the Columbus

area named Les Wexner, who has taken the lead on this issue, but it has involved a lot of the businesses in the Greater Columbus area as well as individuals from all around the country who have stepped forward to say we need to have a National Veterans Memorial and Museum and that Columbus, OH, is the right place for it.

I urge my colleagues to support this legislation as we hotline it in the U.S. Senate and try to get it done even before Memorial Day.

On this Memorial Day, as we remember those who have sacrificed their lives for our country, let us also remember why they offered to lay down their lives. Why? It is that this Nation under God is worth fighting for. We are eternally grateful for their sacrifices and for the service of all military members—those in the past, those in the present, and those who will step forward to protect us and serve our great country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CRAPO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TOOMEY). Without objection, it is so ordered.

Mr. CRAPO. Mr. President, I rise to urge my colleagues to confirm Brian Montgomery as Federal Housing Commissioner. The Federal Housing Administration or FHA plays an important role in today's housing finance market, promoting homeownership and ensuring access to affordable mortgage credit for millions of Americans.

When FHA operates in a safe, viable manner, it can help many deserving people gain a foothold in our housing market who otherwise would not have been able to do so. FHA also plays a countercyclical role in the mortgage marketplace, providing market liquidity in times when traditional sources of home financing dry up, as they did a decade ago.

Since 1934, the FHA has insured mortgages for more than 40 million families. Today, the FHA is the largest mortgage insurer in the world. It is also the primary facilitator of reverse mortgages and supports a nationwide network of housing counseling agencies. Yet for nearly 4 years it has not had a Senate-confirmed leader.

Fortunately, the time has finally come to fill this vacancy. I know Brian Montgomery will do a terrific job. Brian Montgomery is an ideal candidate to take up the mantle because he has done it before.

Mr. Montgomery provided steadfast leadership at the helm of FHA between 2005 and 2009, under Presidents Bush and Obama, during one of the most trying times the housing markets had ever seen.

His nearly unanimous support from housing stakeholders speaks to this

strong track record of experience and expertise. Once confirmed, Mr. Montgomery can hit the ground running, moving FHA forward in pursuit of its continuing mission.

I look forward to continued conversations with him on opportunities to improve America's housing finance system, which continues to be urgently needed. I also look forward to working with him on how we can make HUD programs more effective and more efficient, with better stewardship of taxpayer dollars.

Thirteen years ago, this body confirmed Mr. Montgomery on a voice vote to serve as FHA Commissioner. I ask my colleagues to once again confirm him to this critical role.

Thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VA MISSION BILL

Mr. ISAKSON. Mr. President, I come briefly to the floor to encourage all Members of the Senate to vote for the VA MISSION bill. It is long overdue, a lot of hard work went into it, and it had a great vote on cloture of 91 to 4.

I am sure we will have an outstanding vote today because it is a vote for our veterans, for the promises we made to them for better quality healthcare and a better VA. It would not have happened if it were not for a lot of people, but one of the most key persons in making sure this bipartisan bill passes with the overwhelming margin it deserves is JON TESTER, my ranking member on the committee. We worked together hand in hand for about 3 years. We had enough pitfalls to want to quit many times but never did because we knew the ultimate goal was to meet our veterans' needs.

Today, when we adopt this bill, and later on this month when it is signed, it will be because of the hard work of a lot of people but none more important than JON TESTER from Montana.

I thank my ranking member for encouraging everyone to vote for the bill, and I thank the Presiding Officer at this time.

I yield to the ranking member.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I thank the chairman of the Veterans' Affairs Committee, Senator ISAKSON, for the leadership he has shown from the get-go. From the moment he took the gavel in the Senate Veterans' Affairs Committee, he has been wanting to work together in a bipartisan way, put aside our differences, and get things done.

This VA MISSION Act had a great vote yesterday, and people might say:

Well, gee, this is just another one of those slam-dunk bills. It is not. We would not be here today if it wasn't for Chairman ISAKSON and the great work he has done on this bill.

I also thank the entire Senate Veterans' Affairs Committee. I thank the leadership of the House Veterans' Affairs Committee. I thank the 38 veterans service organizations that offered their support for this bill. I said many times during the hearings, we will take our cues from the veterans. This is exactly what the entire Senate, hopefully, will do in a minute or two with this bill, is take our cues from the people who serve this country in the military. This is a big win for them. They are also going to put a lot of pressure on the VA to deliver for them, but, nonetheless, this is one of those rare times when the Senate and House have done their job and done it in a bipartisan way, worked together, and worked for the benefit of the veterans of this country.

I also thank my staff, Tony McClain, Dahlia Melendrez, and Jon Coen for their great work.

In a brief review, what this bill does is scrap the Choice Program and all the community care programs and puts them into one program where the veteran and the doctor control where to seek care, whether it is within the VA or the private sector. It strengthens the VA and helps build capacity in the VA in two ways, with a loan repayment program for our employees, and it incentivizes medical residencies within the VA. It also improves rural healthcare in States where I come from in Montana by deploying mobile health teams and by expanding telehealth.

Finally, this bill expands the caregiver program to veterans of all eras—something Senator MURRAY has worked on for years and years. I was there when Senator MURRAY came up to the chairman of the committee on a previous bill and said to Chairman ISAKSON: We really need this caregiver bill in. Chairman ISAKSON said: We are not going to forget about you, Patty. We are going to make sure this is taken care of. He lived up to his promise to her, and he lived up to those veterans who have a family member who takes care of them at home, where people don't even know what is going on. They don't even know what is happening. Sometimes these folks have to quit their job to take care of a veteran at home who needs help. So the caregiver program is a very important part of this bill.

It happened because we worked together. When I go home to Montana people ask: How come you guys can't work together? We kind of broke the mold a little bit, and we worked together in a bipartisan way. We put aside politics, and we did what was right for our country and our veterans.

Hopefully, we will get a strong vote out of this bill when it is brought up for passage, and we can get it to the President for his signature.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CRAPO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Montgomery nomination?

Mr. CRAPO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 74, nays 23, as follows:

[Rollcall Vote No. 105 Ex.]

YEAS—74

Alexander	Graham	Murphy
Baldwin	Grassley	Nelson
Barrasso	Hassan	Paul
Bennet	Hatch	Perdue
Blunt	Heitkamp	Peters
Booker	Heller	Portman
Boozman	Hoeven	Risch
Burr	Hyde-Smith	Roberts
Capito	Inhofe	Rounds
Cardin	Isakson	Rubio
Carper	Johnson	Sasse
Cassidy	Jones	Schatz
Collins	Kaine	Scott
Coons	Kennedy	Shelby
Corker	King	Smith
Cornyn	Klobuchar	Sullivan
Cotton	Lankford	Tester
Crapo	Leahy	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	McCaskill	Van Hollen
Enzi	McConnell	Warner
Ernst	Menendez	Wicker
Fischer	Moran	Young
Gardner	Murkowski	

NAYS—23

Blumenthal	Harris	Schumer
Brown	Heinrich	Shaheen
Cantwell	Hirono	Stabenow
Casey	Markey	Udall
Cortez Masto	Merkley	Warren
Durbin	Murray	Whitehouse
Feinstein	Reed	Wyden
Gillibrand	Sanders	

NOT VOTING—3

Duckworth	Flake	McCain
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

VETERANS CEMETERY BENEFIT  
CORRECTION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and the clerk will report the House message to accompany S. 2372.

The legislative clerk read as follows:

House message to accompany S. 2372, a bill to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the bill.

McConnell motion to concur in the amendment of the House to the bill, with McConnell amendment No. 2246 (to the House amendment to the bill), to change the enactment date.

McConnell amendment No. 2247 (to amendment No. 2246), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

The Senator from Texas.

VOTE ON MOTION TO CONCUR WITH AMENDMENT  
NO. 2246

Mr. CORNYN. Mr. President, I move to table the motion to concur with amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion to concur in the amendment of the House to S. 2372 with further amendment.

The motion was agreed to.

Mr. CORNYN. Mr. President, I ask unanimous consent that the remaining votes in the series be 10 minutes in length.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON MOTION TO CONCUR

The question is on agreeing to the motion to concur in the amendment of the House to S. 2372.

Mr. PORTMAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 5, as follows:

[Rollcall Vote No. 106 Leg.]

YEAS—92

Alexander	Blunt	Cantwell
Baldwin	Booker	Capito
Barrasso	Boozman	Cardin
Bennet	Brown	Carper
Blumenthal	Burr	Casey